

HB

295

AMENDMENT #1 *AdP*

OFFERED IN THE HOUSE
TO: HB 295

BY REPRESENTATIVE PEGGY WILSON

- 1 Page 9, line 22:
- 2 Delete "Parcel Number PA.1002, Mite Cove"
- 3 Insert "Parcel C18"

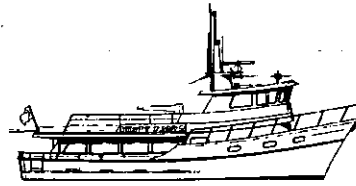
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Bullock
2/4/10~~

~~AMENDMENT~~

~~OFFERED IN THE HOUSE
TO: HB 295~~

~~BY REPRESENTATIVE PEGGY WILSON~~

- 1 Page 9, line 7:
- 2 Delete "December 1, 2011"
- 3 Insert "January 1, 2013"
- 4
- 5 Page 9, line 9:
- 6 Delete "June 30, 2012"
- 7 Insert "June 30, 2013"



ALASKA COASTAL QUEST

2-11-10

Representative Paul Seaton
Alaska State Legislature
Juneau, Alaska

Dear Representative Seaton:

I understand that you recently held hearings on the University Lands bill, HB 295. I would like to encourage you to delete Hook Arm on Dall Island from this legislation. Almost all of the outer coast of Dall Island is wilderness. The U.S. Forest Service recognizes this by placing in a scenic recreation category. Allowing Hook Arm to be sold for development destroys the wilderness integrity of the outer coast of this magnificent island. As a charter boat operator specializing in ecotourism, I see this area as having tremendous economic potential for water oriented outdoor wilderness recreation.

Yours truly,

Dale Pihlman



ALASKA MINERS ASSOCIATION, INC.

3305 Arctic Blvd., #105, Anchorage, Alaska 99503 • (907) 563-9229 • FAX: (907) 563-9225 • www.alaskaminers.org

January 28, 2010

Honorable Paul Seaton, Chairman ✓
Honorable Cathy Munoz, V-Chairman
House Education Committee
Capitol Building
Juneau, AK 99801

RE: House Bill 295 University of Alaska Lands

Dear Representatives Seaton and Munoz,

The Alaska Miners Association supports House Bill 295 which would transfer a defined list of lands to the University of Alaska. This is precisely the approach for getting lands to the University that we have supported in past Legislatures and it is rewarding to see this bill with a clearly defined group of lands now finalized and ready for transfer to the University.

We have opposed various bills in the past that did not include a defined list of lands. We felt it was important for everyone to know which lands would be transferred and for the public to have the opportunity to see and comment on the list before the lands were actually transferred to the University. This is the approach taken by this bill.

In recent years the University of Alaska has proven that it can effectively manage its lands and this step to transfer more lands to the University is appropriate.

Thank you for the opportunity to comment on this important issue. We encourage you to move the bill as soon as possible so the actual transfer to the University of Alaska can be completed. This will allow the University to begin benefiting from the lands at the earliest time.

Sincerely,

Steven C. Borell, P.E.
Executive Director

cc: Education Committee Members
UA President Mark Hamilton

1-29-10

Testimony

HB 295

Joan McBean P.O. Box 23 Tenakee Springs

I am concerned about the transfer of a parcel of land in Tenakee Springs to the U of A. This parcel is within the city limits and is used extensively by the residents & visitors to Tenakee. It is a subsistence area & recreation area & used for commercial trapping. My husband & I have hunted & trapped the area over the thirty years we've lived in Tenakee.

We are concerned about the impact that the transfer of this parcel will have on our tiny community and our dependence on undisturbed, accessible land for our hunting, gathering and commercial use. We are also concerned about the financial burden placed upon Tenakee for education.

I request the removal of this Tenakee parcel from the University Land Grant.

Thank you for this opportunity to testify.

Joan McBean

T'INAA GEI TLINGIT NATION

A Sovereign Tribe

February 17, 2010

The Tenakee Traditional Council is, once again, serving notice to all entities claiming a present or future interest in uplands, submerged lands, and waters in the vicinity of Tenakee, Alaska, that it protests and gives notice of objection to any proposed conveyance of an interest in such lands, including proposed conveyances of ADL 107311 and ADL 107312 to the City of Tenakee Springs and/or to the University of Alaska.

These traditional lands, waters and resources have been occupied by, used by, and claimed by the Tenakee Tribe as original Tlingit inhabitants. These lands, waters and resources were not conveyed to any other entity by the Tenakee Tribe at any time, nor has it been abandoned. The Tenakee Tribe has consistently and strongly objected to any such conveyance. The Tenakee Tribe never agreed to any provisions of the Alaska Native Claims Settlement Act or any other statute purporting to divest it of its interest in those lands. Moreover, the Tlingit village of Tenakee Springs was not granted land selection rights under ANCSA or any compensation for any taking of its lands. We maintain our inherent and aboriginal rights to those lands, waters and resources and because the Tenakee Tribe has been a sovereign Tribe since before the arrival of the non-natives on our lands, we intend to exercise our right as a sovereign tribe to maintain our land so as to confirm the existing title of the Tenakee Tribe. Any conveyance of rights to these lands, waters and resources is done subject to the superior and prior claim of the Tenakee Tribe to such lands, waters or resources. Any trespass upon those lands, waters or resources is objected to and is without the permission, explicit or implicit, of the T'inaa Gei Tlingit Nation.

President Hoover, in 1930, signed the Tongass National Forest document that listed Tenakee as a village. This is documented proof of the village's existence. The area proclaimed for Tenakee was much larger than the 17 acres set aside by President Roosevelt in 1935.

President Roosevelt recognized the existence of the Tenakee Tribe in 1935 by issuing an Executive Order 7179 to ensure that the Tribe was not disturbed in perpetuity! The Tenakee land has never been owned by the federal government. BLM surveyed it for the

P.O. Box 20403
Juneau, Alaska 99802

Telephone: (907) 780-6195
Fax: (907) 780-6195

President of the United States so that our village people would not be bothered and to avoid controversies about ownership of the land. This land belongs to the Tenakee Tribe in perpetuity. The President referred to this Executive Order as a Skookum Paper. Now the state of Alaska has taken it upon themselves to change the content and the intent of the Executive Order. Our elders and Clan Leaders used to state that "everyone knows who this land belongs to." In a visit to Washington, D.C. Senator Ted Stevens stated that this claim has never been disputed.

There was a report done by the University of Alaska Fairbanks for the Southeast Alaska Landless Coalition referred to as the ISER Report. Tenakee is included in that report and gives a very clear description of the Tenakee Tribe's land and resource holdings.

The U.S. Solicitor's office expressed an opinion that went against the President's proclamation that the Tenakee land would belong to the blood descendants of the Tenakee land. The Solicitor stated "you can say anything you want to say to me, Congress can undo your opinion and make you like it."...which meant that Congress can take our land if it so wishes.

We have made several attempts to obtain relevant documents regarding the Tenakee Tribal lands to no avail. We have been informed by BIA that under the Freedom of Information Act, we have the right to file suit if our request is ignored. There is no stipulation as to how extensive the search has to be. We are aware that there is a deed. It was shown to us by a former BIA employee. Yet, we've been told that there are no documents. The same answer we received regarding the Executive Order, a copy of which is attached.

Tenakee is not listed under the Tlingit-Haida Court of Claims (Judgment Funds) nor is it a listed village under ANCSA.

As stated earlier, there are only three ways that trust land can be taken from the Indian Nation:

- An act of abandonment
- An act of conquest (war); or
- A specific act of Congress WITH the consent of the owner Clan.

ANCSA also went against the Presidential proclamation of 1935 claiming that the ANCSA settlement included all Executive Orders in the bargaining with their treaties.

No one, aside from Tribal descendants, can just arbitrarily negotiate the Tenakee trust land. The Solicitor's opinion was that all Executive Order land was lost when ANCSA was initiated including the 7179 land. It was gone without any of the blood descendants knowing about that transaction. The Department of the Interior is mandated to include

Page Three

the Realty Division on land transactions of this nature. Were they actually involved? If they were involved, did they look out for the best interests of the Tenakee Tribe?

Page Three

Executive Order 7179 land was never in the hands of the federal government. How can the State take the land from the federal government and arbitrarily give it up for sale when it never belonged to them in the first place. If our Congressional Delegation move from their homes in Alaska, does that give title to the State, thereby, allowing the land to be put up for sale? I think not! There is no difference except that this is Indian Trust Land.

We request that Tenakee land be withdrawn from the Governor's Lands Bill, HB 295 and SB 225. We are available to answer any questions that you may have.

John Martin, Sr.
Chairman
TENAKEE TRADITIONAL COUNCIL

Executive Order

EXCLUDING CERTAIN LANDS FROM TONGASS NATIONAL FOREST

ALASKA

By virtue of and pursuant to the authority vested in me by the act of June 4, 1897 (30 Stat. 11, 36; 16 U. S. C. 473), and upon the recommendation of the Secretary of Agriculture, it is ordered that the tract of land on the north shore of Tenakee Inlet, Chichagof Island, Alaska, lying within the following-described boundaries and occupied as an Indian settlement, be, and it is hereby, excluded from the Tongass National Forest:

Chs. Beginning at corner no. 1, meander corner, at the line of mean high tide on the north shore of Tenakee Inlet and approximated one-half mile east of the town of Tenakee. Corner not set on account of danger of destruction by tides and storms.

Thence N. 64° W.

0.92 to witness corner no. 1, meander corner, a hemlock stake 6 in. by 7 ft. marked "elimination Cor. 1 W. C. M. C."

Whence a 24-in. spruce tree, blazed and scribed "W. Cor. 1 W. C. M. C.", bears N. 53° W., 0.15 chs.

12.00 Tenakee Trail.

28.83 to corner no. 2, same being common with corner no. 3 of survey 2095.

Thence south

4.91 to witness corner no. 3, meander corner, same being common with witness corner no. 2 of survey 2095.

5.05 Tenakee Trail.

5.41 to corner no. 3, meander corner, not set on account of danger of destruction by tides.

Thence by meander at line of M. H. W. along shore of Tenakee Inlet

(1) S. 76° E., 3.30 chs.

(2) S. 66½° E., 5.00 chs.

(3) S. 44½° E., 7.60 chs.

(4) S. 29½° E., 7.00 chs.

(5) S. 80° E., 3.20 chs.

(6) N. 33° E., 7.50 chs.

(7) N. 53° E., 2.65 chs.

to corner no. 1, meander corner, the place of beginning, containing 16.71 acres, more or less.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,

September 6, 1935.

[No. 7179]

My name is Mike Sallee I was born in and reside in Ketchikan

I have owned & operated a small sawmill across Moser Bay from one of the parcels to be transferred by this bill. For most of the last 3 decades I've provided rough sawn lumber for homes and other projects for nearly all those ^{people} who reside in the immediate area.

I'd hoped the sponsors of this bill would have heeded objections to inclusion of certain parcels before reintroducing the bill. It seems the sponsors don't have much respect for the efforts citizens have put into researching and commenting on State Area Plans & Coastal Zone Management plans among other venues for public input on local land use

Generally, I support the University of Alaska, I have a degree from that institution. I'm not opposed to granting UoA means to generate income.

However:

More specifically - the Moser Bay parcel ~~spatially~~ contains a great deal of steep, landslide-prone shoreline, not very suitable for homesites. Indeed, those slide-prone shores have yielded a small but sustainable source of firewood for local residents and the occasional saw log for my nearby mill.

The Moser Bay parcel contains a recreation trail to Wolf Lakes, important estuarine areas for fish & wildlife, access to uplands for local deer hunters & trappers, & relatively untouched landscapes & viewsheds for small commercial tour boats that ply the area in summer. I believe I understand some adjacent borough lands are encumbered as wetlands mitigation for local coast zone management.

It would be a travesty to clearcut the parcel as the University did on Slide Ridge near Whipple Creek & the Mountain Point area - both on Ketchikan's road system. A selective helicopter harvest is little better though less visually impacting. Helicopter harvest has trashed areas with limb tops, & whole discarded trees that don't make the grade to justify the expense of helicopter removal. Evidence of helicopter harvest is quite abundant on Mental Health lands in Bear Valley, Minerva Mtn. trail and the Tongass Narrows side of California Ridge on Gravina Id. worse - much of the timber helicopter-logged was round-log exported bleeding future jobs from the local economy.

For such a miniscule return to the University's overall budget, transfer of these parcels in the Ketchikan area make little sense, and will place undue burden on local citizens.

January 29, 2010

HB 295
University of Alaska Land Grant
House Committee on Education

Chairman Seaton & Fellow Committee members:

My name is Norm Carson; I presently reside at Pelican, Alaska. While my wife and I have established our retirement home 3 miles south of Pelican I have volunteered my time to serve on committees dealing with Pelican's economy and I have been the President of our local Chamber of Commerce for the past six years.

Within HB295 there is a 320 acre parcel of land identified as "Mite Cove/Ewe Ledge". The nearest communities to this parcel are Elfin Cove, approximately 8 miles to the North across a portion of Cross Sound and Pelican, approximately 13 miles South on Lisianski Inlet and on the opposite shoreline.

The Mite Cove/Ewe Ledge parcel should be removed from HB 295 for the following reasons:

- There is no potential for hydro power on the parcel; any development will be totally dependent upon diesel generation for electricity. The nearest hydro power is at Pelican; it is not economically feasible to run a line to this location.
- Pelican is presently upgrading its hydro. By next August the new penstock will be in place and the Utility will need electricity users to help reduce the Kilowatt cost. Land offered adjacent to Pelican will have greater value and development would utilize the Utility and consequently lower the rates.
- The Mite Cove/Ewe Ledge area is continually utilized during the summer and shoulder season months in a passive manner by the local tourism

businesses, local residents, and out of town visitors. This use is in the form of anchoring, picnics, hiking, scenic photography, and hunting. As a person involved in tourism I would like to see development kept closer to the communities.

- The bight at Ewe Ledge has been utilized by a floating commercial fish buying operation for the past 25 years; between July and late September an average of 30 commercial fishing boats congregate in this area daily. The potential for conflict with new land users is significant.
- The isolation of the Mite Cove/Ewe Ledge parcel will make any development likely to be for seasonal use, this will not benefit the nearby communities with year round residents.
- The Mite Cove/Ewe Ledge parcel is located on a route utilized by commercial fishing and recreational boats as they travel up and down the coast. From my experience in law enforcement I foresee a great problem of theft and vandalism for any property owners that leave their buildings unattended.

For all the foregoing reasons this parcel is not a good deal for the University, potential investors, nor the closest communities to this site.

Sincerely:



Norm Carson
PO Box 98
Pelican, AK 99832

907-735-2460
907-321-1950 (c)

January 29,

Testimony of Stephen Lewis

City of Tenakee Springs, Alaska
re House Bill 295 - University Land Grant

Tenakee Springs is a small isolated community in Northern SE Alaska. With a population of ≈ 100 , it is not connected to any road system & is accessible only by ferry or boat or float plane.

With a relatively undeveloped infrastructure and small population, the impacts of developing the ~~two~~ ^{two sections of} parcels of ≈ 17 and ≈ 3 acres would be huge for Tenakee, overwhelming in fact. This acreage would have relatively little impact on the overall acreage in the bill, nearly 200,000 acres, which are important for University.

For this reason, we request that ~~they~~ ^{these} parcels in Tenakee Springs be removed from the bill, ~~whose~~ ^{the overall purpose} ~~purpose~~ ^{purpose} we believe is important for our
Thank you very much.

ST 1003

Sincerely,

Stephen Lewis

Stephen Lewis

City of Tenakee Springs

PS.

Access to areas

for



CITY AND BOROUGH OF WRANGELL

INCORPORATED MAY 30, 2008

P.O. BOX 531 (907)-874-2381
Wrangell, AK 99929 FAX (907)-874-3952

January 29, 2010

HB295 University of Alaska Lands bill
Testimony before the House Education Committee

Carol Rushmore
Economic Development Director
City and Borough of Wrangell

Thank you Chairman Seaton and Committee:

Wrangell participated in the 2005 legislative process on HB130. Our comments at that time were mostly concerned with 3 parcels of lands that the University had selected which were lands that we, as a potential borough, would also be interested in selecting under the entitlement program. Those parcels are Thoms Place, Olive Cove and Earl West Cove. We were also concerned whether portions of these University selections were in the best interest to the borough and residents for selection by the University.

As you know, Wrangell was successful in incorporating as a borough in May 2008.

In the previous bill, if we formed a borough before July 2009, we were given until January 1, 2013 to make our entitlement selections. That is the premise that we have been planning under since working to form a borough. In the current bill, HB295, that date has been moved up to Dec. 1, 2011.

We have been working diligently over the last year on our borough wide comprehensive plan and zoning ordinance. We are also tackling other planning and zoning efforts, developing relationships with residents in the outlying areas and developing our goals and policies for the future of the borough. We are working on our borough organization efforts, and respectfully request that the CBW is given until January 1, 2013 to make our selection regarding land within the parcels of Thoms Place, Olive Cove, and Earl West Cove.

We have a responsibility to our borough landowners and residents to make sure we can remain an economically sustainable borough. It is challenging to make the selections necessary to meet our goals and policies that are being developed during our comprehensive planning process. We have also introduced legislation HB273 requesting additional acreage than the amount DNR indicates is our entitlement, in order to provide for our future economic growth. The selection process is not a task we take lightly, and we want to make sure that we get it right for our residents -selecting lands that will help us address our resource development, public infrastructure development opportunities, cultural resources, valuable habitat areas, and additional settlement opportunity goals.

We also have some concerns regarding the University's selection for some portions of these three parcels, concerns of their development plans in these areas, potential impacts of the

University's use of these lands could have to habitats, cultural resources, recreation, public infrastructure development and the subsistence lifestyle of the residents. We are working on our comprehensive plan to try and address these concerns regardless of who selects the land.

Earl West Cove parcel is designated GU in the Central SE Area Plan, includes timber lands, LTF, recreational site, deep water access.
Thoms Place is designated HA, S, and GU
Olive Cove is designated GU and RU

Thank you for this opportunity to comment.

Sincerely,

Carol Rushmore
Economic Development Director

Louie Flora

From: Rep. Paul Seaton
Sent: Saturday, January 30, 2010 11:48 AM
To: Louie Flora
Subject: Fwd: HB295 University Land Grant

Sent from iPhone by Paul Seaton

Begin forwarded message:

From: Norm Carson <nlcarson@att.net>
Date: January 29, 2010 7:04:47 PM AKST
To: "Rep. Berta Gardner" <Representative_Berta_Gardner@legis.state.ak.us>, "Rep. Bob Buch" <Representative_Bob_Buch@legis.state.ak.us>, "Rep. Bryce Edgmon" <Representative_Bryce_Edgmon@legis.state.ak.us>, "Rep. Cathy Munoz" <Representative_Cathy_Munoz@legis.state.ak.us>, "Rep. Paul Seaton" <Representative_Paul_Seaton@legis.state.ak.us>, "Rep. Peggy Wilson" <Representative_Peggy_Wilson@legis.state.ak.us>, "Rep. Tammie Wilson" <Representative_Tammie_Wilson@legis.state.ak.us>, "Rep. Wes Keller" <Representative_Wes_Keller@legis.state.ak.us>
Cc: "Sen. Bert Stedman" <Senator_Bert_Stedman@legis.state.ak.us>
Subject: HB295 University Land Grant

Dear Chairman Seaton and Fellow Committee Members:

This morning I had the privilege of addressing the Committee and speaking of my concern reference the inclusion of the "Mite Cove/Ewe Ledge" AKA: Mite Cove parcel in this bill. I reside 3 miles south of Pelican, I am active in community affairs, and President of our Chamber of Commerce.

To refresh your mind, the Mite Cove parcel is approximately 13 miles northwest of Pelican at the mouth of Lisianski Inlet; this is where the Inlet meets Cross Sound. Pelican is the nearest ferry terminus to Mite Cove; an important item as this is the means to get building materials to Pelican. Pelican is the nearest source of hydro generated electricity, Mite Cove is too far away and on the opposite side of the Inlet to be economically viable as a recipient of Pelican's electricity.

I would like to address a couple of issues that were brought up today after I testified:

- Representative Gardner asked a great question, paraphrased it was “Why do the people in Tenakee not want DNR to select land that is right in their town and yet people in Pelican would prefer a parcel located closer to their city limits? “The answer is two part; 1. we are different communities in geographical ways and even in outlook towards development and 2. No one asked us in advance, as far as this bill or even HB130 in 2005, we were never asked by DNR as to what State lands should be given a priority for transfer to the University. DNR is presently preparing a parcel of land two miles south of Pelican for public auction; if this parcel were offered to HB295 in lieu of Mite Cove we would not make a peep.
- Representative Buch asked the gentleman from Tenakee about the frequency of ferry service to Tenakee and how that would impact building costs. Tenakee receives ferry service twice per week; Pelican receives a ferry twice per month May thru September and once a month October thru April. Building materials for Mite Cove would need to be off loaded in Pelican and then boated 13 miles down the Inlet and off loaded on the beach; it is safe to say that building costs would be extremely high.

Small remote communities such as Pelican scratch and claw for ways to stay economically viable; when the State has the opportunity to make a positive difference then that should be a priority. In this instance it is in the best interest of the University, potential investors, and the community of Pelican that the Mite Cove parcel be removed from HB295 and replaced by the “Inlet View Subdivision”, two miles southeast of Pelican, DNR is preparing to offer this parcel for public auction sometime in 2010. This parcel was originally in HB130 and then removed; had we a voice in the matter we would have left it in and taken out Mite Cove.

Thank you for your diligence in this matter.

Norm Carson

PO Box 98

Pelican, AK 99832

907-321-1950

February 3, 2010

Comments on HB 295 –University Land Grant

Norm Carson

President

Pelican Chamber of Commerce

PO Box 98

Pelican, AK 99832

907-735-2460, 907-321-1950 (c)

nlcarson@att.net

To: Members of the House Education Committee

Rep. Seaton, Rep. Munoz, Rep. Edgmon, Rep. Keller, Rep. Wilson T., Rep. Buch, Rep. Gardner, and Rep. Wilson P.:

HB 295 calls for the transfer of a 320 acre parcel of land, "Mite Cove/Ewe Ledge", 13 miles northwest of Pelican on Lisianski Inlet. Unfortunately this selection is not the best one available and should be exchanged for another parcel, this is parcel "C18", page 3-293 of the Northern Southeast Area Plan, (NSEAP), October 2002, Department of Natural Resources. Parcel C18 is located approximately 2 miles southeast of Pelican.

HB 295 will be made better for the University, future land investors, the community of Pelican, and the general public if the Mite Cove/Ewe Ledge parcel is exchanged for parcel C 18 in the NSEAP for the following reasons:

- The Mite Cove/Ewe Ledge Parcel is designated RU, (recreational), in the NSEAP and not to be sold to individuals. C 18 is designated RU & Settlement which allows for construction of homes and development.
- The Mite Cove/Ewe Ledge parcel is located 13 miles northwest of Pelican, it is out of eye sight of the nearest inhabited dwelling, and on a route for fishing boats traveling to and from the "lower 48". Based upon 21 years of experience as a former Alaska State Trooper I can guarantee any dwellings or buildings left unattended will be subject to break in and theft.
- C 18 is positioned between the Phonograph Creek Subdivision and the community of Pelican; it is on the "dead end" portion of the inlet, boats have to pass Pelican to get to it. C 18 is visible from Pelican and by neighbors within a mile to the southeast. C 18 will benefit from "neighborhood watch" of the local inhabitants and investors of C 18 will provide a measure of security to them as well.
- The Mite Cove/Ewe Ledge parcel lacks the potential for hydro-electric power; all electricity will have to rely on fuel powered generators; this will make construction and occupancy expensive.

(2)

- C 18 because it is within two miles of Pelican is a potential customer of the hydroelectric powered utility. C 18 also has a stream on it with sufficient elevation to provide for a hydroelectric facility large enough to service several homes.
- The Mite Cove/Ewe Ledge parcel has a northerly exposure; consequently receiving less sunlight than one with a southern exposure. This is important when considering snow depth on buildings and photovoltaic potential. Every dwelling and building adjacent to the twenty two miles of Lisianski Inlet shoreline are built on the northern shore thus providing a southern exposure; this is a huge factor in the winter months.
- The community of Pelican will be in a position to gain from additional nearby dwellings; the potential for population growth and annexation are significant.
- While the Mite Cove/Ewe Ledge parcel might look attractive on the map, it is really less desirable for habitation than is C 18 for reasons stated previously. C 18 at approximately 235 acres is much more valuable for the University.
- The Mite/Cove Ewe Ledge parcel vicinity is utilized during the summer months by a floating fish buying operation that is permitted through a tidelands lease. This operation has been present for the last 25 years, during the height of the season there are easily 30 or more boats transiting the waters close to the shoreline. Any development within the Mite/Cove Ewe Ledge area will eventually have issues with the activity that is taking place; yet the local fishermen depend upon this buyer.
- The Mite Cove/Ewe Ledge was designated solely as recreational use land in the NSEAP, as the other lands in the Inlet are developed we will need this area for the intended use of public recreation. The passive use of this parcel for picnics, hunting, hiking, photography, etc. are not in conflict with the NSEAP, nor seasonal commercial fishing activity.

This proposed solution is a win for everyone, by adhering to the NSEAP the public is protected, public process is respected, transfer of C 18 will benefit Pelican, and it will provide the University with land that is more desirable and can quickly be developed by investors.

Thank you for taking an interest in and acting upon this issue,

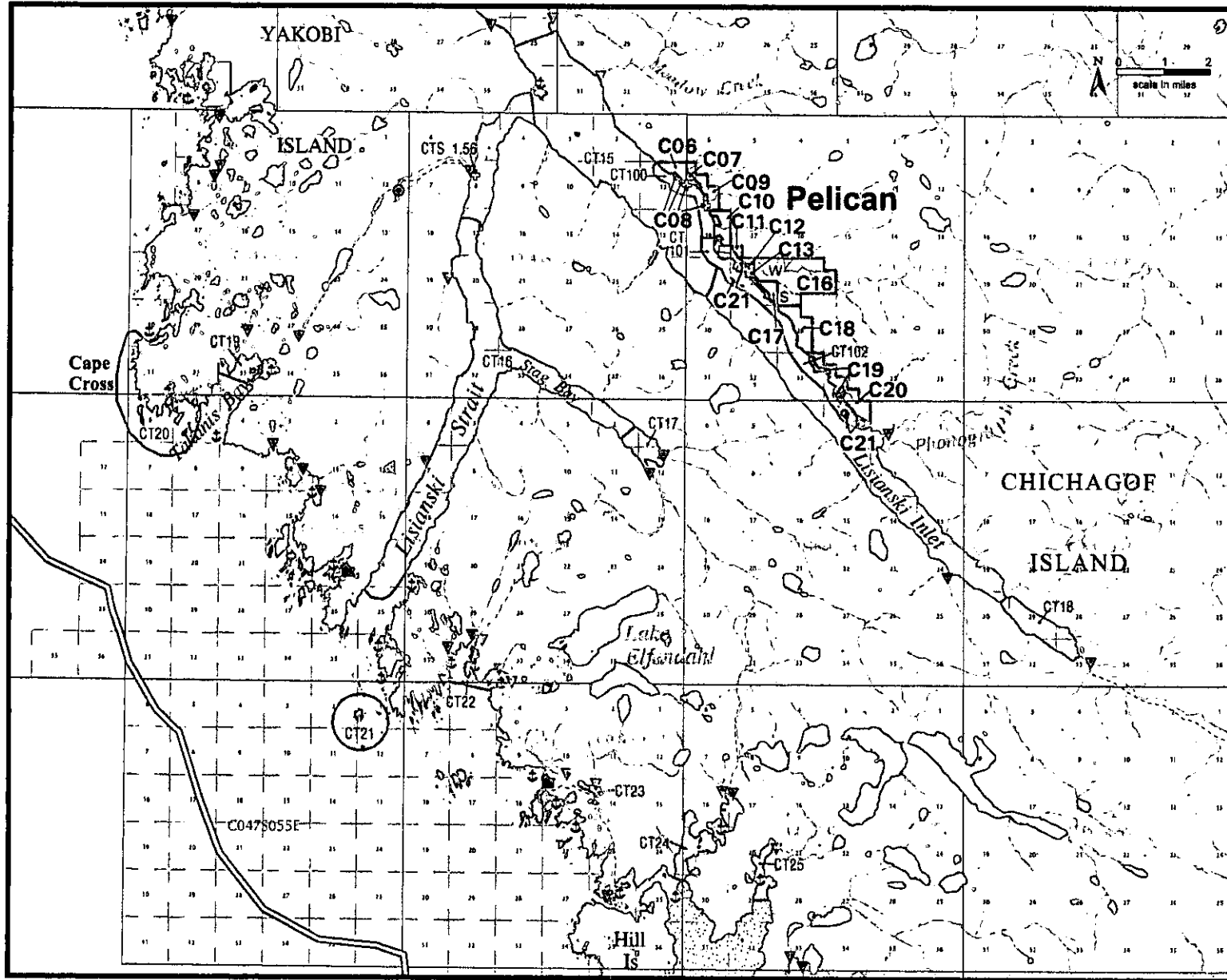


Norm Carson
PO Box 98
Pelican, AK 99832

907-735-2460
907-321-1950 (c)

Email: nlcarson@att.net

Attach (1)



Chichagof Island Area, Pelican

Land Status (1)(2)

- Tongass National Forest
- Glacier Bay National Park
- State owned
- Native owned
- Bln or other government
- Private or University
- Mental Health
- Municipal or Borough
- State selected
- Native selected

Boundaries

- Upland Unit Boundary
- Upland Designation Boundary
- Tideland Unit Boundary
- Legislatively Designated Area
- Area Plan Boundary
- Haines State Forest
- Chilkat Bald Eagle Preserve
- Logging road

Units (3)

- L01** Large Tract, Upland
- LT01** Large Tract, Tideland
- LTSD1** Small Tract, Tideland

Tideland Uses/Facilities

- Boat launch
- Aquaculture, other
- Log transfer site
- Cabin
- Anchorage (small)
- Anchorage (large)
- USFS group location (1 visit per week)
- USFS enclave location (1 visit per day)
- Estuary
- Pacific herring spawning & over wintering
- Anadromous stream mouth

My name is Eric Lee.

I am from Petersburg and have been a fisherman and ~~hunter~~ subsistence hunter there all my life.

There are 5 parcels ~~under~~ ~~consideration~~ in the vicinity of Petersburg that are ~~of~~ worthy of concern ~~to us to me~~, but I recognise the inevitability of ~~this bill so I will~~ ~~will concentrate~~ will focus ~~this~~ this testimony on the two parcels that I feel would be most detrimental to our community were they to be transferred.

Those two parcels are Read Island and Whitney Island

~~As~~ Having fished in the area for ~~decades~~ 30 years and more, I am very familiar with the use of these areas by our citizens of Petersburg, the fishing fleet, the charter fleet, subsistence and sport fishermen, hunters, and recreational users.

I feel that the transfer of these parcels ~~could~~ would cause serious negative impacts to our community.

Both these parcels are in the same ~~area~~ general area, and are used by our community for the same reasons so I will ~~advise~~ them not

individually, but together.

The concerns are the same for both.

Both these areas are vitally important to our charter fleet for fishing and sightseeing.

They are ^{located in an area} ~~within~~ ~~staffed~~ close enough for ^{small boats} ~~charter day trips~~, ~~to~~ which is a very important practical consideration for ~~charter~~ ~~business~~ ~~of a~~

subsistence users and charter operators as well.

The anchorages ~~in~~ ~~the~~ next to both Whitney and Reed Islands are vitally important to all who use these areas. And they are

And they are not large anchorages.
Even the presence of a few or a
half a dozen vessels anchored in
the best spots in
these critical anchorages would ~~make~~
~~them secondarily under them~~
~~make under them the anchorages~~
~~them~~

make them impractical ~~for~~
~~our use~~

and undependable for all
mariners from Petersburg.

I think those on this committee
~~with backgrounds~~ who have spent
some time on the water can especially
appreciate this concern.

Anchorage are indispensable
for operation of a vessel on the water.

Anchorage are absolutely

They are essential for day to day operations and as shelter from the weather when storms come up.

So the potential loss of ~~availability~~ these anchorages is of great concern to me.

~~Personally Both these anchorages~~
~~have~~
~~the use for~~

Our community relies ^{heavily} on these areas for our subsistence fishing, as they are close enough to be accessed by small boat.

Salmon, halibut, crab and shrimp are all harvested in ~~these two~~ the vicinity of these two parcels.

That seafood is very important to the families who need it for subsistence, and it also plays an important part in our communities identity.

We are a community that ~~has~~ lives close to the land and sea, and our subsistence use of these areas plays an important part in who we are.

I regret that I must cut my testimony short now due to the need to leave this meeting.

Thank you,

Eric Lee

February 3, 2010

Comments on HB 295 –University Land Grant

Norm Carson

President

Pelican Chamber of Commerce

PO Box 98

Pelican, AK 99832

907-735-2460, 907-321-1950 (c)

nlcarson@att.net

To: Members of the House Education Committee

Rep. Seaton, Rep. Munoz, Rep. Edgmon, Rep. Keller, Rep. Wilson T., Rep. Buch, Rep. Gardner, and Rep. Wilson P.:

HB 295 calls for the transfer of a 320 acre parcel of land, "Mite Cove/Ewe Ledge", 13 miles northwest of Pelican on Lisianski Inlet. Unfortunately this selection is not the best one available and should be exchanged for another parcel, this is parcel "C18", page 3-293 of the Northern Southeast Area Plan, (NSEAP), October 2002, Department of Natural Resources. Parcel C18 is located approximately 2 miles southeast of Pelican.

HB 295 will be made better for the University, future land investors, the community of Pelican, and the general public if the Mite Cove/Ewe Ledge parcel is exchanged for parcel C 18 in the NSEAP for the following reasons:

- The Mite Cove/Ewe Ledge Parcel is designated RU, (recreational), in the NSEAP and not to be sold to individuals. C 18 is designated RU & Settlement which allows for construction of homes and development.
- The Mite Cove/Ewe Ledge parcel is located 13 miles northwest of Pelican, it is out of eye sight of the nearest inhabited dwelling, and on a route for fishing boats traveling to and from the "lower 48". Based upon 21 years of experience as a former Alaska State Trooper I can guarantee any dwellings or buildings left unattended will be subject to break in and theft.
- C 18 is positioned between the Phonograph Creek Subdivision and the community of Pelican; it is on the "dead end" portion of the inlet, boats have to pass Pelican to get to it. C 18 is visible from Pelican and by neighbors within a mile to the southeast. C 18 will benefit from "neighborhood watch" of the local inhabitants and investors of C 18 will provide a measure of security to them as well.
- The Mite Cove/Ewe Ledge parcel lacks the potential for hydro-electric power; all electricity will have to rely on fuel powered generators; this will make construction and occupancy expensive.

(2)

- C 18 because it is within two miles of Pelican is a potential customer of the hydroelectric powered utility. C 18 also has a stream on it with sufficient elevation to provide for a hydroelectric facility large enough to service several homes.
- The Mite Cove/Ewe Ledge parcel has a northerly exposure; consequently receiving less sunlight than one with a southern exposure. This is important when considering snow depth on buildings and photovoltaic potential. Every dwelling and building adjacent to the twenty two miles of Lisianski Inlet shoreline are built on the northern shore thus providing a southern exposure; this is a huge factor in the winter months.
- The community of Pelican will be in a position to gain from additional nearby dwellings; the potential for population growth and annexation are significant.
- While the Mite Cove/Ewe Ledge parcel might look attractive on the map, it is really less desirable for habitation than is C 18 for reasons stated previously. C 18 at approximately 235 acres is much more valuable for the University.
- The Mite/Cove Ewe Ledge parcel vicinity is utilized during the summer months by a floating fish buying operation that is permitted through a tidelands lease. This operation has been present for the last 25 years, during the height of the season there are easily 30 or more boats transiting the waters close to the shoreline. Any development within the Mite/Cove Ewe Ledge area will eventually have issues with the activity that is taking place; yet the local fishermen depend upon this buyer.
- The Mite Cove/Ewe Ledge was designated solely as recreational use land in the NSEAP, as the other lands in the Inlet are developed we will need this area for the intended use of public recreation. The passive use of this parcel for picnics, hunting, hiking, photography, etc. are not in conflict with the NSEAP, nor seasonal commercial fishing activity.

This proposed solution is a win for everyone, by adhering to the NSEAP the public is protected, public process is respected, transfer of C 18 will benefit Pelican, and it will provide the University with land that is more desirable and can quickly be developed by investors.

Thank you for taking an interest in and acting upon this issue,

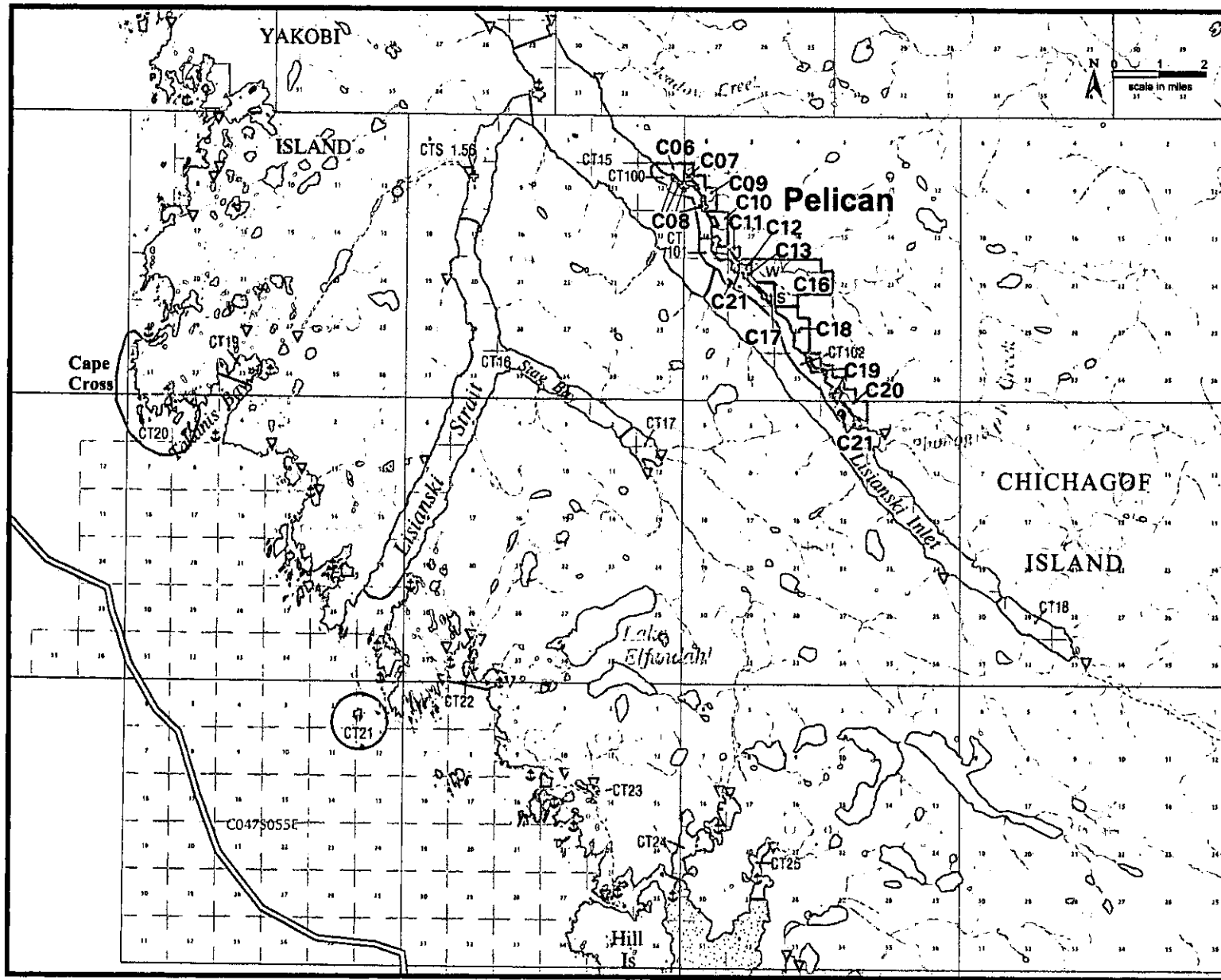


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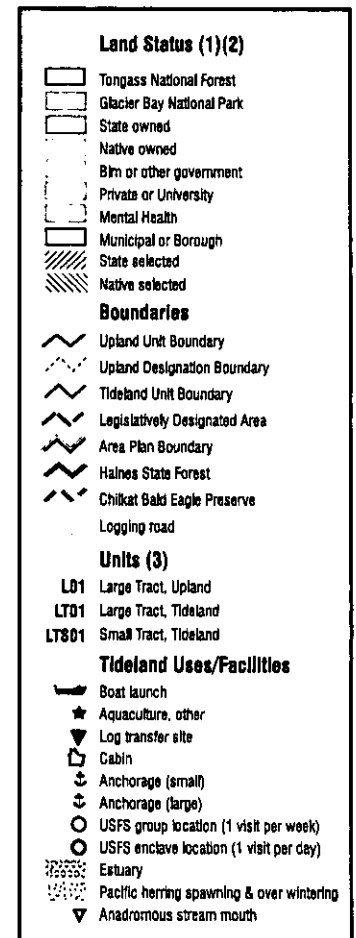
907-735-2460
907-321-1950 (c)

Email: nlcarson@att.net

Attach (1)



Chichagof Island Area, Pelican



Deb Spencer
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Pelican, Alaska 99832
907-735-2495
dspencerak@yahoo.com
Comments on HB 295 – University Land Grant

February 2, 2010

Members of the House Education Committee:

Thank you for taking public comment on HB 295 at your January 29, 2010 committee. I testified by phone and would like to offer some follow-up comments. I especially appreciated members' insightful questions regarding land-use designations in DNR's Northern Southeast Area Plan (NSEAP). I'd like to give members some more information about the plan and the land-use designations.

Citations are directly from the plan. I have, however, attempted to draw your attention to particular portions of the text by underlining parts of the plan.

Background

The NSEAP was adopted by DNR and signed by Commissioner Pat Pourchot on October 15, 2002. The plan was the culmination of several years of work and extensive public input:

The Northern Southeast Area Plan is the product of over two years of work by state and federal agencies, other land owners, local governments, interest groups and the public. (NSEAP, Chapter 1 – Page 8)

The NSEAP clearly identifies appropriate and inappropriate uses of state land:

Uses of State Land. The plan outlines management objectives for state land. This includes describing what resources and valid existing uses should be protected, and what uses are most suitable for development or protection on state land during the planning horizon. (NSEAP, Chapter 1 – Page 9)

Decisions about land use are guided by the Plan:

Decisions on Specific Applications. While this plan provides general management intent for state lands, the plan does not make decisions about specific land-use authorizations. These decisions are made through the application

review process. Land-use authorizations must, however, be consistent with the plan, and existing laws and regulations. (NSEAP, Chapter 1 – Page 11)

The plan is implemented through administrative actions such as leases, permits, land conveyances, classification orders, and mineral orders. The plan serves as the final finding for land classifications and mineral orders. (NSEAP, Chapter 1 – Page 13)

It is intended for the plan to be the guiding document for land use for 20 years (the “planning horizon”):

This plan reflects land management decisions and allocations based on the best available information on the demand for use of state land and resources projected over the next 20 years. (NSEAP, Chapter 1 – Page 11)

Provisions are made for modifications to the Plan:

Specific modifications may be made whenever conditions warrant them, though a request for these changes must follow certain procedures. The plan may be amended after approval by the Commissioner of the DNR following public review and consultation with the appropriate agencies. (NSEAP, Chapter 1 – Page 13)

Specific Information Regarding Mite Cove:

The Parcel is designated in the NSEAP for public recreation and tourism (Ru) and is intended to remain public land:

Ru – Public Recreation and Tourism-Undeveloped. This designation applies to those areas that offer or have a high potential for dispersed recreation or tourism and where desirable recreation conditions are scattered or widespread rather than localized. Developed facilities are generally not necessary other than trails, trail signs, primitive campsites, and other minor improvements. Land in this designation may be conveyed to municipalities depending on the unit’s management intent and the relative value of the recreation resources for which the unit was designated. These lands cannot be sold to individuals.

The Management Intent in the plan for the 180-acre Mite Cove parcel is as follows:

Parcel is to be managed for dispersed recreation purposes; use of the parcel for settlement or other non-public purposes is considered inappropriate. Any public use that is to be authorized in the uplands should take into consideration the

potential effects upon the anchorage capacity of Mite Cove and the wildlife movement corridor along the coast. Because of the importance of this anchorage to both commercial and recreation users, any significant degradation of its capacity is inappropriate and applications that significantly reduce this capacity should not be approved. (NSEAP, Chapter 3 – Page 321)

Actions Requested:

1. Please remove Mite Cove from transfer to the University in HB 295.
2. Continue your consideration of controversial parcels in the bill; please consider their consistency with corresponding DNR Area Plans.
3. I respectfully request that committee members request documentation from DNR of the public process that was used to select lands for transfer in HB 295 (Originally HB 130 in 2005). There was no public process in our area.
4. Consider substituting Representative Ramras' HB 234 in place of this bill entirely. This bill includes parcels that will provide sustaining and long-term returns for the University through leases and other income rather than one-time sales of controversial remote parcels.
5. Consider using the parcel identified by DNR as the Inlet View Subdivision (Parcel C-18 in the NSEAP) as a comparable substitute for the Mite Cove parcel. This 235-acre parcel near Pelican is identified for settlement, and its transfer to private use is consistent with the NSEAP. (Reid Harris in Representative Wilson's office has more information on this.)

Thank you kindly for your consideration.

Respectfully submitted,

Deb Spencer

Louie Flora

From: Deb Spencer [dspencerak@yahoo.com]
Sent: Tuesday, February 02, 2010 10:23 PM
To: Rep. Paul Seaton
Cc: Louie Flora
Subject: HB 295 - further comments from Pelican
Attachments: Comments on HB 295 to HEDU cmt.doc

Hello Representative Seaton,

Thank you for your willingness to discuss individual parcels in HB 295 at last week's Education Committee hearing. I was the first (nervous) witness on the teleconference; my testimony focused on the Mite Cove parcel.

I've tried to answer your questions in the attached letter re. land use designations. More specifically, you asked Director Mylius about water use for permitted users. Shoreline, Inc., our fish-buying scow, applies, pays for, and receives an annual permit to tie shorelines to the beach and run a water line. We have held a permit for this location for 25 years. This permit carries no "water rights" per se. DNR has a specific definition for "water rights" and they are much more extensive and are actually considered "rights." An annual permit carries no such weight.

A change to private ownership of the uplands would surely displace our business. Our little scow represents millions of dollars of commerce each season in the area and is a critical support to the troll fleet. In fact, in 2008, we bought about 10 percent of the troll kings and cohos landed by the entire summer fleet. Honestly, no private upland owners wants to hear fishermen delievering fish all hours of the day and night.

Please contact me for any further information. Thank you for your consideration.

Regards, Deb Spencer
735-2495

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1/30/10

Representative Paul Seaton, Chair
House Education Committee
State Capitol, Rm 102
Juneau, AK 99801

Re: House Bill 295 – University Grant

Dear Representative Seaton:

I am a supporter of the University of Alaska. Use of the computer, spreadsheets, word processing, e mail and search were taught to me in the Ketchikan UAS. Some of the interns that assisted at the lab were taught at UAS KTN.

I am not a supporter of the logging practices implemented at Whipple Creek by the UAS. The area had been harvested by a Native corporation. We drove up roads and looked at maps. I took pictures and taped interviews with an administrator and a timber consultant. The project was begun. Culverts were used. The cut was designed partially for visual appearance.

But that was only the “first entry”. Subsequent entries encroached upon the creek. Steep slopes were crossed, leading to erosion when the roots of the stripped away trees decayed. The trailer court drawing its water from Whipple Creek had increased problems with siltation in its pipes and infiltration gallery pond. The increased sediment and organic loads required increased water treatment resulting in increased disinfection byproducts.

Did the money from the ravaging appear in the budget of the Ketchikan UAS campus? How about all of Southeast Alaska? What percentage, if any, of logs were shipped overseas for processing? Was one of the roads used to haul fly ash away from the pulp mill and up high into the logged area and then covered with sawdust?

MOSER BAY SELECTION I am opposed.

Moser Bay is an area dear to local outdoor enthusiasts and summer visitors. It is only 5 or 7 miles from where skiffs can be rented from several resorts. There are lodges in Clover Pass on the way to Moser Bay. Tours are available. Map:CS MB 1001.

Where would one find out what criteria were used for the land selection in Moser Bay?
What were presumed uses of this forest on the edge of bay?

Some possible uses:

- Log it.
- Hold onto it until a road is built.
- Sell or lease for homes.
- Trade it for another property.
- Lease or sell for commercial recreation.
- Use for aquaculture.

Some might think this lovely, SE wind protected, unspoiled bay, around the corner from the State Park at the end of the highway would be best left un-despoiled. But from where would the revenue for the University come?

MOSER BAY CREEKS

The selection takes in both major creeks. **Moser Creek** at the head of the bay has a fair run of pink and chum salmon. Big spruce trees are on the grassy banks. The tide goes a long way in and out, making it a delightful paddle at high tide. There may be a few crabs and cockles left at certain times of the year. Trails in the muskegs lead up the valley to the alpine ridges. The mud flats (and grassy banks) at low tide end when covered with the bay water attracted halibut and other bottom feeders. At one time logs were stored by the pulp mill in the cove west of the creek and at the edge of the flats. The Borough has selected the immediate estuary as a mitigation area to offset the airport road.

Wolf Creek is slightly larger. To the N and E of the mudflats at the head of Moser Bay, this creek also has a good to fair run of salmon. There we had a tiny research salmon hatchery in the late 70's, experimenting with methods of chum egg fungus reduction using plant extracts to substitute for the malachite green dye, which was at that time in disfavor due to carcinogenicity and was suspected of possibly affecting the adults. We also applied for an oyster farm permit, but were rejected. The hatchery permit was also rejected, although our contribution was used as ammunition in the US Canada salmon treaty negotiations. Wolf Creek, at extreme low water one October mid '70's, would fill a 5 gallon bucket in 1 second. This we judged inadequate for a production salmon hatchery.

Large old trees line the sides of the creek. The canyon is steep. On top where it levels off, would be a possible road route, were a road ever to be extended that far. A timber cruiser in the 70's gave his evaluation that if there were to be a road, it would probably be on the ridge along the E bank (within the selection), passing by The Ponds, and at the head of the Wolf Creek canyon. The c. 12 acres of land on either side of the creek mouth, when I last checked, was owned by Sealaska Corp. Before that it was claimed by salmon canning interests: Alaska Packers, or perhaps Del Monte.

I am **opposed** to including Moser Bay in the selection list in HB 295. unless UofA was planning on keeping it the way it is, where everyone can use it.
David Wieler

Louie Flora

From: Mylius, Richard H (DNR) [dick.mylius@alaska.gov]
Sent: Thursday, February 04, 2010 11:24 AM
To: Louie Flora
Cc: Brakes, Heather K (DNR)
Subject: Final Corrected list

Here are the parcels that UA has deeds (ignore the shading) for:

Auke Weir
Cleveland Peninsula
Dalton Hwy MP 345-347
Deception Creek
Edna Bay
El Capitan South
Fairbanks Parking Garage
Jennie M Creek
Key Bank Site
Leask Cove
Lynn Canal
McCarthy - Nizina
Moir Sound/ Nowiskay Cove
Naukati Sound
Noyes Slough
Poker Flat Lease
Port Conclusion
Port Dolores
Rowan Bay
Silver Fox Mine
Sitka Campus
Sumdum
Summit Lake
Tok Research Forest
Ward Cove
West Twin Lake
Wien Lake
William Henry Bay
Willow Creek Road
Count 29

Mary Irvine 326 Sixth Street Juneau, Alaska 99801 (907) 586-1480

Good morning members of the Committee. As a 20-some year resident of the State of Alaska, I want to thank you for the opportunity to speak to you this morning about this important piece of legislation.

I would like to be very clear. I am a strong supporter the University of Alaska. Although I received both my undergraduate and graduate degrees Outside at private institutions, I have taken many rigorous classes at UAS, several fun classes at UAS, and I served the University for several years as an instructor for ED593, a continuing education course. I truly wish OUR university system had more financial stability and support in many ways. I find it regrettable that OUR university professors - especially adjunct professors - are underpaid.

However, I am here this morning to respectfully request that you please consider exempting a small 5-acre parcel from this funding bill. In the alternative, I'm requesting that you ask DNR to provide you with a different, alternative 5-acre choice parcel for inclusion in this bill, instead of the 5-acre parcel named ... Sumdum.

The 5-acre parcel known as Sumdum is a parcel of land about 40 miles south of where we are right now, and it contains the mouth of an extremely productive salmon stream, AND a historic cultural site important to many Tlingit people and many mining history scholars as well. The parcel is on the site of the old fish camp just across the inlet to Endicott Arm, from where The Soundon People lived in 6 large clanhouses. Several of the clanhouses in this area have been specifically documented - they were Black Bear House, the Glacier House, and others, the people of which, drew fish from this stream for thousands of years.

The parcel is also the direct site of the old 1879 – 1903 townsite of Sumdum. On record at the University of Alaska itself is a PhD thesis on what makes this area so historically compelling as to be reserved as an intriguing and culturally diverse site! The thesis documents some of the cultural exchange that makes this area such an interesting one, historically and culturally, to study. Although it was used for thousands of years by Tlingit "people of the sparkling green water" as a fish camp, ...later in history, during the early gold mining days, one of the first towns in "American Alaska" – consisting of several hundred souls - sprang up - some Tlingits but also new gold miner immigrants to Alaska as well. Cabins went up, a huge bunkhouse for the miners, a laundry, cookhouse and "American Alaska's" first brewery, to serve the booming area. A corduroy road and tram system with horses and ore carts were put in place, and tunnels - to blast the hard rock out of the earth - penetrated deep into the hills. The Presbyterian missionary Samuel Hall Young stopped here, another time, officers with the US Geographic Survey stopped here in the 1890's, and throughout the years of it's heyday, there was a

United States Post Office staffed here.

Members of the Committee,

How do we value a salmon stream? How do you put a price on still-WILD runs of natural salmon that have nourished people in this area for thousands of years? Can we? Should we?

Moreover, how do we value the PUBLIC history of a diversity of people - Tlingit and later Alaskans alike, interacting together, getting used to each other, experiencing each other and learning to live and work together in a certain place, in a certain time? Can we value this? Should we value this?

I believe we should value such things – maybe even put fiscal values on them – since we will be taking these out of the PUBLIC domain which benefits all Alaskans, and PRIVATIZING them for the benefit of those individuals able to avail themselves of our excellent university system.

I believe the Department of Natural Resources is the correct agency to manage this 5-acre parcel. Sumdum should remain rightly placed within DNR, and not be transferred to the real estate agents of the Lands Office for “disposal” to the highest bidder. This 5-acre parcel is a priceless Alaskan treasure that I’m not sure the real estate agents in the Lands Office at the University have any clear idea as to how to place a value on it, let alone manage it, as effectively as DNR has done over the past many years.

Perhaps I'm wrong - perhaps the fishing industry from Washington and Oregon would pay a darn fair price for one of our salmon streams. Or perhaps the Tourism industry would be happy to pay a fair price for a 5-acre parcel in order to put another zipline over the mouth of this salmon stream or one more tee shirt shop in place, en route to wherever it is they are going in such a big hurry on their vacations to Alaska.

I submit that Alaskans would appreciate at least your at least attaching a fiscal note value to a bill that removes a salmon stream OUT of the PUBLIC DOMAIN and gives it over to the realtors in the fundraising business.

I also submit that our summer visitors are coming to learn about just such history as the PUBLIC history that the little 5-acre parcel named Sumdum can offer to us Alaskans, and that we in turn can value and offer to them.

Would you please consider looking further into EXEMPTING the small 5-acre parcel called Sumdum from this bill?

Thank you for your time, and I'd be happy to try to answer any questions.

Parcel Name	Parcel Number -- 2010 Land Use List	DNR Land Use Plan	Land Designation in Plan	Notes
Earl West Cove ¹	PT.1004	CSEAP	General Use	Management intent indicates parcel to be used for multiple uses, including settlement and future timber sales.
Mite Cove ²	MF.1001	NSEAP	Dispersed Recreation	Management intent indicates that the parcel is to be used for public purposes; not appropriate for settlement.
Moser Bay	CS.MB.1001	CSEAP	Settlement, General Use	Management intent indicates western part of parcel to be managed for settlement; remainder is General use. Note: anadromous stream is Habitat.
Olive Cove ³	CS.OV.1001	CSEAP	General Use, Dispersed Rec.	Adjoins state subdivision. Management intent indicates that portions of parcel may be appropriate for settlement.
Sumdum	SD.1001	NSEAP	Dispersed Recreation	Management intent indicates that only development related to recreation uses would be appropriate.
Tenakee Springs	ST.1003	NSEAP	Public Facilities, Settlement/ Commercial	Management intent indicates that development appropriate near harbor and, in some inland locations, for commercial, industrial, and road right-of-way purposes. Areas not used for this purpose should remain undeveloped.
Thoms Place ⁴	SD.1001	NSEAP	Settlement, General Use	Management intent indicates that settlement should occur along coast. Timber harvest in General Use areas not appropriate except as related to land development. Adjoins state subdivision to south.

CSEAP – Central Southeast Area Plan

NSEAP – Northern Southeast Area Plan

¹ Affected by legislative provision allowing land to be conveyed to a borough under certain conditions.

² See footnote 1.

³ See footnote 1.

⁴ See footnote 1.

Identification of Parcels – 2005 Land List

Parcels were identified according to the needs of the University and the restrictions of state area plans. DNR also established some sideboards of properties that would not be considered, such as producing oil and gas properties (including the entire North Slope), areas where DNR had already started work on land sales, timber parcels critical to the DNR Forestry sales program and sustained yield calculations, parcels selected by municipalities, etc. (this is not a complete list). Three types of properties were identified as needed by the University.⁵

Investment Properties (73,865 acres). DNR and the University initially reviewed all available land throughout the state and all applicable area plans. Generally, both parties agreed that it would be preferable, except in cases related to educational development and research and oil and gas utilization, to exclude parcels that were designated in area plans as generally inappropriate for development or could not be conveyed to individuals or municipalities based on plan or statutory restrictions. Designations that included Water Resources, Habitat, and Forestry were avoided; these designations cannot, for example, be conveyed to municipalities under the Municipal Entitlement Act. Designations that provided for development of some type or are acceptable for municipal conveyance were used as the basis for initial selection. Our review therefore focused on state land designated Agriculture, Settlement, General Use (a multiple use designation) and, to a lesser extent, Public Recreation where some type of recreation development was envisaged. The management intent associated with these parcels (which sometimes constrains use and development) as well as specific parcel knowledge were then used to reduce the inventory of parcels to that contained in the 2005 Land List. In all cases DNR required that the entirety of state land in an area of selection be included; this avoided the selection of just the best areas (high-grading), leaving the state with areas of limited worth.

Educational Properties (35,973 acres). Parcels that augmented the holdings of current educational facilities (Sitka, Juneau, and Fairbanks) were included. Also included were parcels important to water and water quality research and forest research and management. The former included large areas near Fairbanks as well as portions of the Tanana Valley State Forest. The latter was conveyed as a University Research Forest under the previous legislation.

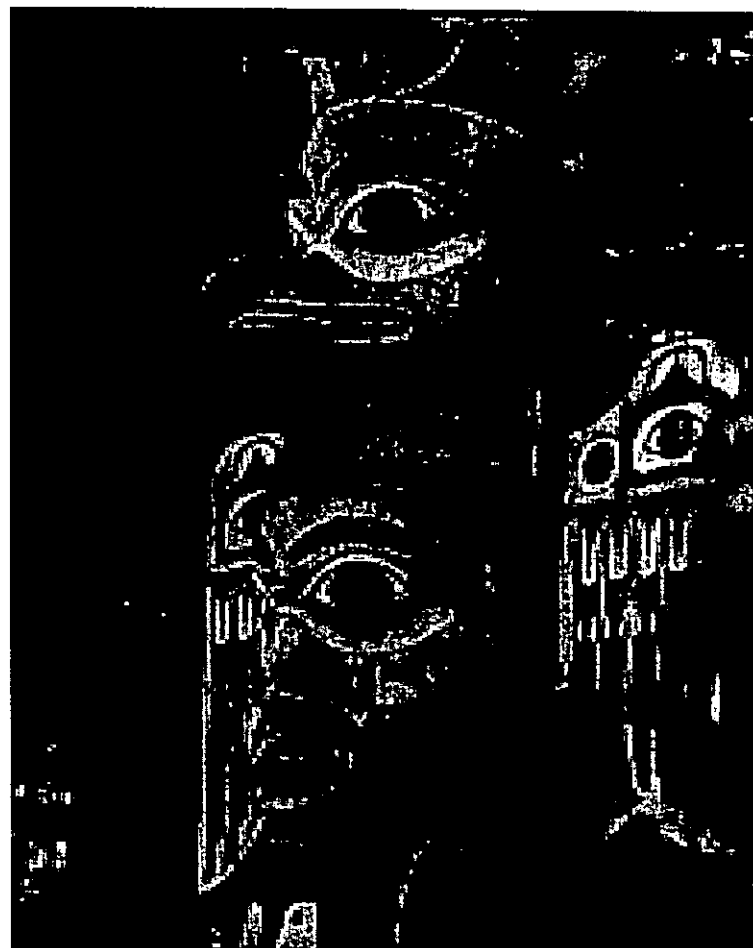
Oil and Gas Properties (90,000 acres). A large area near Nenana was included on the basis that this area has oil and gas potential and may be able to generate revenue.

⁵ The acreage estimates given reflect the proposals of the 2005 Land List. Some parcels have been conveyed to the University. Especially significant is the University Research Forest (51,820 acres).

Alaska Historic Preservation Act

- *Alaska Statutes 41.35*
- Implemented in 1971
- Deals with
 - Alaska Historic Commission
 - Designation of historic monuments and parks
 - Unlawful acts such as vandalizing cultural sites
 - Threats to cultural resources by state projects

Totem Bight State Historical Park



Alaska Historic Preservation Act

- 41.35.010. Declaration of Policy. It is the policy of the state to preserve and protect the historic, prehistoric, and archaeological resources of Alaska from loss, desecration, and destruction so that the scientific, historic, and cultural heritage embodied in these resources may pass undiminished to future generations. To this end, the legislature finds and declares that the historic, prehistoric and archaeological resources of the state are properly the subject of concerted and coordinated efforts exercised on behalf of the general welfare of the public in order that these resources may be located, preserved, studied, exhibited, and evaluated.

Preservation of historic, prehistoric & archaeological resources threatened by public construction (AS 41.35.070)

- “Public construction” includes any projects involving:
 - State land
 - State funding
 - State permits

Flotsam cleanup project near prehistoric site on State land, Gore Point



AS 41.35.070(a)

- The department shall locate, identify, and preserve in suitable records information regarding historic & prehistoric sites.

- Alaska Heritage Resources Survey (AHRS)
 - ❖ Statewide inventory of all reported prehistoric & historic sites
 - ❖ Hard copy & electronic versions
 - ❖ Restricted (confidential) information

AS 41.35.070(b)

- Department may archaeologically survey affected area before public construction occurs to determine if the area contains historic or prehistoric values.



Archaeological survey, Kodiak
Note eroding shell midden

- Allows OHA to review State projects & provide recommendations regarding surveys

AS 41.35.070 (c)

- If the department determines that historic, prehistoric, or archaeological sites will be adversely affected by public construction, the project may not commence until the department has performed the necessary investigation, recording and salvage of the site.



Data recovery at the
Unalaska Bridge Site

A Land Grant College Without the Land:

**A History of the University of Alaska's
Federal Land Grant**



**A Report to the University of Alaska
Statewide Office of Land Management**

by Terrence M. Cole, Ph.D.

**Chair, Department of History
University of Alaska Fairbanks**

November 1993

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I. EXECUTIVE SUMMARY

The University of Alaska is a land-grant college without the land. In 1915, Congress reserved for Alaska's land-grant institution potentially more than a quarter-of-a-million acres in the Tanana Valley, proceeds from the sale and development of which would help finance the operation of the school. Under the terms of the measure, written by Delegate James Wickersham, the college was to receive every surveyed and unclaimed Section 33 in an area of about 14,000 square miles between Fairbanks in the north and the foothills of the Alaska Range in the south, in addition to the main campus of about 2,250 acres four miles from Fairbanks.

However, this large Tanana Valley land-grant never materialized. For decades, almost all of the land in the Tanana Valley (like the rest of Alaska) remained unsurveyed and therefore unavailable. As late as the 1950s, only 0.6 percent of Alaska had been properly surveyed under the standard rectangular system, and a territorial report concluded that at the speed Alaska was being surveyed, it could take as long as 43,510 years to complete the job. (Chipperfield 1954: 4) Due primarily to this incredibly slow pace of federal land surveys, Alaska's landgrant institution received only a fraction of the land Congress reserved for it in 1915; in addition to its 2,250 acre campus, the University of Alaska received less than 9,000 acres out of a reservation created for it totalling approximately 268,800 acres.

To partially remedy the situation, Congress granted an additional 100,000 acres to Alaska's land-grant college in 1929, but even with this additional grant, the total was less than half of the original acreage authorized in 1915.

Further efforts to increase the size of Alaska's higher education federal land-grant were made from the 1930s through the 1950s. Several bills were submitted to Congress that would have reserved up to 10 million acres for Alaska's land-grant college, but strong opposition, primarily from the Department of Interior, doomed the effort.

With the passage of the Alaska statehood bill in 1958, the university's legal rights to further land under the 1915 reservation were extinguished. The statehood act repealed the 1915 reservation because Congress apparently believed the enormous statehood entitlement of more than 103 million acres—far larger than that of any other state in American history—would provide sufficient resources so that the 49th state could adequately support its university. Alaska Delegate E.L. "Bob" Bartlett agreed with the majority of Congress that by not targeting specific amounts of land for specific purposes, such as had traditionally been done for the support of higher education elsewhere, the new state would have greater flexibility and more control of its own affairs.

Bartlett claimed in 1958 that in exchange for giving up the "in-place" grants—such as the Tanana Valley Section 33 reservation—the state of Alaska had received not only a far greater percentage of the public domain than other western states, but also greater freedom to choose land wherever it wished "without any reference at all to the traditional section-by-section formula." This freedom, as Bartlett predicted, helped the state immeasurably, for instance, when the state selected land at Prudhoe Bay, which turned out to be the richest oil field in North American history. But the cost of this greater freedom in land choice was a vastly smaller educational land grant for Alaska.

Traditionally, the size of land grants were most often determined by a state's population not by its area. Nevertheless, some of the last western states were given generous grants despite their sparse populations. For instance, Oklahoma and New Mexico each received about one million acres to support higher education. But, Alaskan higher education never shared in this federal bounty. Alaska received less land specifically dedicated for the support of higher education than any other western public land state, and less educational land or script than all but one of the contiguous states. Among the 48 states which had received federal land or land scrip to establish land-grant colleges, mining schools, teachers' colleges, and state

universities, only Delaware received fewer acres than Alaska. Thus, after statehood, Alaska in 1959 was in an anomalous position. While the state had received more land and a greater percentage of land from the federal government than any other western state, it ranked next to the bottom of the list in the amount of federal land it had received for higher education.

Since the statehood act had invalidated the university's 1915 Tanana Valley reservation, many Alaskans supported efforts to specifically designate a portion of the 103 million acre statehood entitlement for the support of the University of Alaska. In the spring of 1959, the first state legislature passed a measure authorizing the state to reserve to the UA one million acres "for the purpose of replacing grants of certain Sections 33 in the Tanana Valley previously allowed under federal law and now superseded" by the statehood act.

To the dismay of the University of Alaska and its supporters, Governor William A. Egan vetoed the one million acre university on the grounds that it would complicate the enormous task of the Division of Lands in selecting the statehood entitlement, and would furthermore violate the Alaska constitution's prohibition against dedicated funds. University of Alaska President Ernest Patty, shocked at Egan's veto, believed that the governor did not understand the century-long tradition of American land-grant colleges. President Patty did not share Egan's view that increasing the size of the university's land grant would violate the state constitution.

William R. Wood, Patty's successor as UA President, remembers that both state and federal officials agreed that the university had been short-changed in the statehood act, but that state officials believed additional lands should come from authorities in Washington, D.C., while federal officials told the university to look to Juneau for redress. Governor Egan's steadfast opposition to granting or reserving state land to the university essentially killed any chance of addressing the issue on the state level until Walter J. Hickel became governor in 1966. But shortly after Hickel's election, he was greeted by Secretary of Interior Stewart Udall's land freeze halting all transfers of federal lands until the issue of Alaska Native land claims could be settled.

Over the next 15 years, controversies regarding Alaska land matters continued to boil, as the public domain in Alaska was carved up for the first time. In 1971, Congress passed the Alaska Native Claims Settlement Act, reserving 44 million acres for Alaska Natives and opening the way for the construction of the Trans-Alaska Pipeline. The pipeline marked the start of a national conservation battle in the 1970s over the future of Alaska's lands, which culminated in 1980 with the passage of the Alaska National Interest Lands Conservation Act, a measure which added 104 million acres to the state's conservation systems.

Now, with many of the major Alaska land issues of the 1970s and 1980s settled, supporters of the University of Alaska have encouraged the state to re-examine the question of the university's land grant and consider granting the school additional lands in order for it to "achieve parity" with higher educational systems in other states.

This report is a brief historical review of the land-grant issue as it pertains to the University of Alaska, a land-grant college without the land.

II. ACRES FOR EDUCATION: THE TRADITION OF FEDERAL LAND GRANTS

The U.S. government helped finance America's educational system, from kindergarten to college, not with money, but with land. The practice of trading acres for education is one of the oldest traditions in American history, even pre-dating the United States Constitution. Dedicating land from the public domain to finance schools in the various states and territories was born of necessity, since the national government had a shortage of dollars and a surplus of acres. According to a 1939 Department of Interior tabulation, the total educational land grants to Alaska and the 48 states amounted to more than 200 million acres, an area bigger than the state of Texas.

The Ordinance of 1785 established the rectangular survey of New England as the basis on which all land west of the Ohio would be subdivided; land was surveyed into townships composed of 36 sections of 640 acres or one square mile each. The 1785 law also established the principle of federal land endowments for education by reserving Section 16 of every township "for the maintenance of public schools, within the said township." (Taylor 1969: 131) After the admission of Ohio in 1803, Section 16 of every township in every new territory or state was typically reserved for schools; any Section 16 which had somehow been preempted was replaced by another section "in lieu thereof." (Hibbard 1939: 310) Over the 19th century, as the need for the expansion of education grew, so did the size of the federal land endowment for schools. With the admission of Oregon in 1848, the usual common school section grant doubled from one section to two (Sections 16 and 36). Utah, New Mexico, and Arizona, three of the last four states admitted before Alaska, each received four sections for school lands (Sections 2, 16, 32 and 36).

Common school grants were by far the largest in terms of acreage; however, higher education also received varying amounts of land. Different states received federal land grants for seminaries, teachers' colleges, mining schools, military schools and universities totaling millions of acres. Most notable among the land grants for higher education were the land-grant agricultural colleges created by the Morrill Act of 1862.

MORRILL ACT OF 1862

The Morrill Act, which has been called "perhaps the most important single act for education ever passed by Congress," revolutionized higher education in America. (Taylor 1969 111) Previously attending a college or university had been the privilege of an elite upper class, but supplied with government land grants totalling more than 11 million acres, the nation created new kinds of colleges in every state and territory that would stress the teaching of "agriculture and the mechanic arts" to the "industrial classes." Thanks to the creation of the system of land-grant colleges and universities, which eventually spread to all 50 states, the District of Columbia, Guam, Puerto Rico, and the Virgin Islands, the doors of higher education swung open for the first time to millions of working class men and women. "Democracy's College" is the apt title of the classic history of the land-grant college movement.

INEQUITIES OF THE LAND GRANTS

Despite the laudable goals of the Morrill Act, serious problems with the legislation emerged. The acreage of each state's land grant was based on population as measured by the size of its congressional delegation; for each senator and representative a state sent to Congress, it received 30,000 acres. Therefore, the law favored the heavily populated, industrialized eastern states over the more sparsely settled and primarily agricultural western states. For instance, Rhode Island, the smallest state in the union, received 120,000 acres in scrip, a larger land grant than that of either Oregon, Nebraska, Kansas, Nevada, or Colorado, all of which received the minimum of 90,000 acres. Similarly, Connecticut (180,000 acres) received more than California (150,000 acres), and New Jersey (210,000 acres) more than Montana (140,000 acres).

Besides the glaring inequities between eastern and western states, except in a few instances, the land grants never created the financial endowments for the agricultural colleges which Congress had intended. As one historian has noted, the disposal record of the various states' agricultural college land grants "is clouded by scandal, fraud, and poor management. Many states realized less than one dollar an acre for their land, and some were even swindled out of the proceeds of the sales altogether." (Madsen 1976: 34) The poorest performance was that of Brown University in Rhode Island, which received only 42 cents an acre for its land.

One of the few states to earn a significant income from its land grant was New York, which received the largest grant of nearly one million acres (in scrip). Ezra Cornell, founder of New York's land-grant college, Cornell University, invested the scrip in 500,000 acres of the pinelands of northern Wisconsin to amass a nest egg of

III. ALASKA' EDUCATIONAL LAND GRANTS

TANANA VALLEY AGRICULTURAL COLLEGE RESERVE

ABSENCE OF SURVEYS NEGATE 1915 GRANT

\$5 million for the school. Historian Paul Wallace Gates noted in his 1943 study of Cornell's land grant that the university's investment in Wisconsin was "one of the largest and ultimately most successful land speculations in American history." (Gates 1943: 49) But Cornell University was the exception. "None of the states received, through the Agricultural-College Act, sufficient funds to place their agricultural colleges on a sound financial basis at the outset," Gates wrote, "and with the exception of New York, no state east of the Mississippi River ever obtained from land or scrip what might be regarded as an adequate endowment." (Gates 1943: 245)

The man who ensured that the federal government would provide land for the support of schools and colleges in Alaska, as it did elsewhere, was Alaska Delegate James Wickersham. In 1915, Wickersham pushed a measure through Congress which reserved lands for both a common school system throughout the Territory and an agricultural land-grant college in the Tanana Valley near his hometown of Fairbanks.

Wickersham's 1915 school lands' bill appeared to be the first giant step in the disposition of the public domain in Alaska, reserving potentially about 20 million acres for education in the Territory. Despite earmarking this large reservation of federal land specifically for education, however, federal officials did little to ensure that schools and colleges in Alaska would actually receive any of the land which had been reserved for them. The high cost and slow speed of Alaskan development, due in part to bureaucratic inertia and the lack of federal land surveys, invalidated the generous terms of the 1915 act, so that Alaska ultimately received only a tiny fraction of the approximately 20 million acres of land Congress reserved for education in the Territory in 1915.

Delegate Wickersham's 1915 school lands' bill followed the precedents in other states and territories by reserving specific sections of federal land for the purposes of education. His legislation reserved every surveyed Section 16 and 36 throughout the territory for the support of the "common schools" of Alaska. This total reservation—of potentially more than 20 million acres—was the largest public school grant (on paper at least) in American history.

Besides the enormous common school grant, Wickersham's bill also set aside potentially more than a quarter-of-a-million acres in the Tanana Valley for the support of an agricultural college and school of mines. Four sections around the Fairbanks Agricultural Experiment Station outside of Fairbanks were designated as the campus, while every Section 33 in the Tanana Valley between 64 and 65 degrees north (approximately from the foothills of the Alaska Range to Fairbanks) and 145 and 152 degrees west (from near modern-day Delta Junction in the east to the mouth of the Tanana River in the west) were reserved to provide an endowment for the support of the college. Wickersham's bill also followed the established procedure set in other states and territories by promising the territory "in lieu of" lands, if any of the reserved sections would be preempted before survey by homesteaders or otherwise disposed of by Congress.

In 1917, the Alaska Territorial Legislature formally incorporated the Alaska Agricultural College and School of Mines (renamed the University of Alaska in 1935) as Alaska's land-grant institution. However, the land which Congress had reserved in 1915 to provide an endowment for the school was never transferred from federal ownership due to the same problem that effectively negated nearly every Congressional land measure in Alaska: the absence of surveys.

At the time Wickersham introduced his measure in 1915 to reserve lands for a land-grant college, no one in Congress was even certain about how much Tanana Valley revenue land they were actually reserving for the agricultural college. For instance, before the bill's passage, the report from the Committee on Public Lands stated that the agricultural college reserve in the Tanana Valley was "a very small one" of 134,400

acres, "which is a smaller number of acres than is usually given an agricultural college or school of mines." (U.S. House 1915: 5) Wickersham himself said on the floor of the House that the Alaska Agricultural College would receive only a total of 80 sections (51,200 acres). Another congressman claimed the reserve would be about 180,000 acres, while another claimed "it would be even more than that." (Congressional Record, 24 February 1915: 4544-4545) Still later the Dept. of Interior estimated that the Section 33 grant totaled 336,000 acres. (U.S. Dept. of Interior, 1939: 3)

Confusion stemmed mostly from the fact that virtually none of the land under consideration had yet been surveyed, so no one could have known exactly how many sections were potentially included in the reserve. (According to calculations made years later by University of Alaska administrators, the total Section 33 land reserved for Alaska's land-grant college under the 1915 measure comprised 420 sections or 268,800 acres. (Patty to Egan, 8 February 1960, Pres. Papers, 60/61, Box 14, File 204)

The lack of surveys not only caused confusion about the size of the Alaska Agricultural College's reservation, it also effectively cancelled the value of the reservation itself. The land set aside in 1915 was clearly predicated on surveys; obviously, the specific sections reserved for education could not be reserved until after they had been delineated. The first line in the 1915 law stated in part that the educational lands could be reserved only "when the public lands of the Territory of Alaska are surveyed, under direction of the Government of the United States..." Considering the pace at which the federal government was completing the rectangular survey of Alaska, the college could have literally waited until the next ice age, or longer, to receive all of its land. In 1915, the General Land Office had hardly even begun the task of surveying the Territory. Even four decades later, in 1952, only about 0.6 percent of Alaska's estimated area of 375 million acres had been surveyed. One politician predicted in the early 1950s that at the going rate of land surveys, it would take between 12,000 and 17,000 years to finish the job, while a less optimistic report from the Territorial Division of Lands estimated it might take as long 43,510 years! (U.S. House, Statehood For Alaska, 1957: 321; Chipperfield 1954: 4) Not until after statehood in the 1960s did the U.S. government finally begin to survey sizeable portions of the public domain in Alaska. (Ducker 1992)

Without surveys, the 1915 congressional school land reservations in Alaska for both public schools and the land-grant college remained empty promises. Out of the estimated 20 million acres that the 1915 grant reserved for the public schools of Alaska, the Territory of Alaska ultimately received only about 106,000 acres, or 0.5 percent of the original reservation. (Chipperfield 1954: 2; Stein 1987: 7)

The land-grant college's expected Tanana Valley land grant never materialized either. In 1958, the university reported that only 19 Section 33s—out of a possible total of 420 Section 33s in the Tanana Valley—had been surveyed. "At present rate of survey," the university's land manager reported in 1958, "one might expect completion of survey in from 200 to 1,000 years." (Land Manager Report, 20 May 1958, Pres. Papers, 1958/59, Box 6, File 88) According to figures from the State Division of Lands, out of the 1915 reservation, Alaska's land-grant institution ultimately received only 11,211 acres, of which about 2,250 acres were the campus site reserved for educational purposes, leaving only 8,961 acres for revenue purposes. Thus, the University of Alaska was granted less than 3.3 percent of the 268,800 acre Tanana Valley reservation Congress created for its financial support in 1915. (Stein 1987: 167)

LACK OF LAND INCOME

The lack of land was clearly seen in the university's balance sheet. During the University of Alaska's first three decades, from 1917 to 1946, the total revenue to its permanent fund from land sales, rentals, and leases was only \$227.50. During that time, the university's land income never amounted to more than \$30 a year. Other years were even worse. From 1926-1928, Alaska's alleged land-grant college earned only 75 cents from its land grant. Nearly every third year, until the late 1940s, the UA

earned absolutely no income from its land whatsoever. (UA Permanent Fund Statement, 1917-1971, Pres Papers, 1971/72, Box "Higher Ed...", File, Land—July-Dec)

1929 LAND GRANT

Congress recognized the inadequacies of the 1915 Tanana Valley agricultural college reservation when it passed a measure 14 years later to grant an additional 100,000 acres for the "exclusive use and benefit" of the Alaska Agricultural College and School of Mines. Under the 1915 act, the educational lands were merely reserved, with title vested in the Federal government, but the 1929 act was an outright grant of 100,000 acres to the Territory for the support of the college.

The 1929 law required the granted land to be surveyed before selection. However, unlike the 1915 in-place reservation which specified particular sections, the 1929 legislation was an actual quantity grant; under its provisions, the Territory of Alaska could select 100,000 acres of "vacant, nonmineral, surveyed, unreserved public lands" anywhere in Alaska for the financial support of the college. (U.S. Senate 1929)

The 1929 quantity grant became the major land grant of the University of Alaska. By the 1960s, virtually all 100,000 acres had been selected and patented, forming the bulk of UA's total land-grant trust of approximately 111,000 acres.

10 MILLION ACRES MORE

Charles E. Bunnell, the first president of the University of Alaska, and Delegate Anthony J. Dimond never ceased their efforts to increase the size of the UA's land grant and reserve. During the seven years from 1936 to 1943, Dimond introduced at least five nearly identical bills in the 74th, 75th, 76th, 77th and 78th Congresses, to extend the 1915 Section 33 reservation in the Tanana Valley to the entire territory. Dimond's legislation proposed amending the 1915 act, stating:

... Section 33 in each township in said Territory shall be, and the same is hereby, reserved from sale or settlement for the support of the University of Alaska...

Reserving each Section 33 throughout the entire Territory of Alaska, not simply those in the Tanana Valley, would have increased the university land reserve to approximately 10 million acres. This would have been, by far, the largest higher education land grant in history, nearly equal by itself to all of the land and script given to all of the land-grant colleges and universities in the United States.

Dimond saw this 10 million acre land bank as the university's endowment for the future. He explained in a 1937 telegram that the land he proposed reserving was at present "of little if any value but eventually by increased value may be of substantial aid in maintaining university." (Dimond to Shattuck, 14 July 1937)

Opposition to the 10 million acre university reserve came principally from the Department of Interior. Year-after-year, the Secretary of Interior recommended against expansion of the Section 33 reserve on the grounds that the university already had more land than it needed. As evidence, Interior officials pointed out that the UA had taken no steps to select any of the 100,000 acres made available to it by Congress in 1929. "It appears," Acting Secretary of the Interior Charles West wrote in 1937, "that no selections have yet been made by the Territory of Alaska under said grant." (West to DeRouen, 3 April 1937)

No matter how it looked in Washington, D.C., the failure to file any selections was more a factor of Bunnell's short-handed administration than a lack of interest in acquiring additional land. Struggling to survive from one fiscal year to the next, the UA lacked the staff in the 1930s and 1940s to tackle the massive job of land selection that the 1929 act required. Officially, Bunnell was both president and comptroller, and any issue of substance that concerned the university crossed his desk, from buying library books to selecting land.

Dimond asked Bunnell to explain in writing why the University genuinely needed the reservation of additional lands. However, Dimond realized Bunnell's

difficult position. The university had numerous dealings with Interior Department officials and Bunnell could not afford to alienate them. "If you are disinclined to write a letter that I can use before the Committee," Dimond wrote Bunnell, "will you not at least with your superior knowledge of the entire subject, write me a memorandum which I may adopt in whole or part as my own without bringing your name into the controversy." (Dimond to Bunnell, 6 April 1937) If Bunnell ever wrote the memo which Dimond requested, it has not yet come to light.

In 1938, the university selected 1,927 acres near Fairbanks for its first quantity grant under the 1929 law. (Stein 1987: 7) Nevertheless, the Interior Department continued to thwart Dimond's and Bunnell's efforts to reserve additional land for the university. "The Department of the Interior is still vigorously opposed to having set aside for the University of Alaska any more of the public lands in the Territory...." Dimond wrote to Bunnell in February 1941. (Dimond to Bunnell, 11 February 1941)

A month later Dimond further explained: "The Department's argument against the bill seems to be based upon the theory that plenty of land has already been reserved for the University of Alaska and no more is needed. Specific reference was made to the fact that the grant of 100,000 acres made to the Territory of Alaska for the benefit of the University...has not yet been selected except for approximately 2000 acres..." (Dimond to Bunnell, 12 March 1941)

By the time Dimond introduced his 10 million acre bill for the fifth and last time in 1943, he had apparently resigned himself to the Interior Department's unwavering opposition. As Dimond expected, the Interior Department responded once again with a negative recommendation. Acting Secretary Abe Fortas wrote in July 1943 that Delegate Dimond's proposed 10 million acre reserve, added to the more than 20 million acres previously reserved in 1915 for common schools and higher education in Alaska, would create a gigantic educational reserve of more than 30 million acres which Alaska did not need.

"Such an amount would be greatly in excess of the grants of public land made to any of the States," Fortas wrote, "and, considering the comparatively small population of the Territory of Alaska, approximately 60,000, an additional reservation of the amount proposed for educational purposes, would seem unwarranted and greatly out of proportion to the present or contemplated need of the Territory." (Fortas to Peterson, 19 July 1943)

In 1944, E. L. "Bob" Bartlett replaced Dimond as Alaska's Delegate to Congress. Bartlett told Bunnell he would resubmit Dimond's 10 million acre reservation proposal, but claimed it would be futile as the Interior Department would continue to thwart the measure. "I have no doubt that if I introduce a bill seeking the same objective a similar report will be made," Bartlett wrote, "but I am perfectly willing to do so in any event if such is your desire." (Bartlett to Bunnell, 30 December 1944)

Apparently Bartlett did not reintroduce Dimond's university land measure, as by that time a new force had arisen which would drastically alter Alaska's political landscape and the land question: the Alaska statehood movement.

IV. THE STATEHOOD MOVEMENT

In 1916, one year after Congress reserved more than a quarter of a million acres in the Tanana Valley to finance a land-grant college in Fairbanks, James Wickersham submitted the first bill requesting statehood for Alaska. Wickersham introduced his statehood bill, a symbolic gesture with no real hope of passage, on the 49th anniversary of the signing of the Alaska Purchase Treaty. He patterned his measure after the statehood act of Oklahoma, supposing the generous grants of money and land for education would find favor with Democrats, traditional supporters of state's rights, who at the time controlled both Congress and the White House. (Atwood 1979: 306)

FIRST STATEHOOD ACT PROPOSES
11.3 MILLION ACRES FOR HIGHER
EDUCATION IN ALASKA

Wickersham's 1916 bill called for Congress to grant Alaska approximately 11.3 million acres specifically for the support of higher education and approximately 20 million acres for public schools. If enacted, the proposals would have been the most generous public education and higher education grants in the history of the United States. Among its other provisions, Wickersham's measure-anticipating Delegate Anthony Dimond's campaign in the 1930s and 1940s to increase the University of Alaska's land grant—proposed granting one section in each township throughout the territory for higher education. Delegate Wickersham recommended granting every Section 13 (about 10 million acres) for the equal benefit of Alaska's future universities, teachers' colleges, agricultural colleges, and schools of mines. Furthermore, instead of certain traditional land grants for internal improvements, and other swamp land grants which were not applicable to Alaska, the bill would have granted an additional 1.3 million acres for higher education dedicated as follows:

400,000 acres for universities

400,000 acres for agricultural colleges and schools of mines

300,000 acres for teachers' colleges

200,000 acres for schools of forestry

(Daily Alaska Dispatch, 31 March 1916; Naske 1972: 3)

THE 1940s REVIVAL OF THE
STATEHOOD CAMPAIGN

Delegate Wickersham's 1916 statehood bill died without receiving a hearing, and it was not until more than a quarter of a century later that the question of Alaska statehood again surfaced in Congress. In 1943, bills were introduced in both houses calling for the admission of Alaska as a state, requesting extraordinarily generous land provisions. The bills would have given Alaska all of the unappropriated public land in the Territory, except for those lands actively used by the federal government. Furthermore, Delegate Anthony Dimond's bill in the House also included his long standing proposal to grant the University of Alaska an additional 10 million acres by reserving for it every Section 33 in the Territory. (Naske 1972: 3)

When Congress seriously began to address the Alaska statehood issue following World War II, debate centered on the amount of land the proposed 49th state would receive. Initially, most Alaskans assumed that the new state of Alaska would be given all the public land in the territory. Delegate Bob Bartlett's 1947 statehood bill, like his predecessor Anthony Dimond's bill four years earlier, recommended that the United States government convey to the state of Alaska all of the vacant public domain; and, in addition, reserve 20 million acres or two sections in each township (Sections 16 and 36) for public schools, and 10 million acres or one section in each township (Section 33) for the support of the University of Alaska. (U.S. House 1947: 2)

The Interior Department supported the concept of Alaska statehood, but fiercely opposed granting the future state government all of Alaska's public domain. Acting Secretary Warner Gardner wrote the department's official report on April 14, 1947 claiming most of Alaska should be held in trust for all of the people of the United States.

The custom has been for the federal government to grant to the new states lands for schools and for internal improvements, but to retain the bulk of the public lands under federal ownership. I strongly recommend that there be no change in this practice in the case of Alaska.

Gardner suggested several changes in Bartlett's bill, which the secretary claimed would permit

Alaska to enter into the Union on a basis similar to that on which the western continental States were admitted. While retaining the greater part of the public lands for national management, the federal government has made grants to the new states for school purposes and internal improvements. Similar grants should be made in the case of Alaska. (U.S. House 1947: 12)

In particular, Gardner's suggested amendments would reduce the state's land entitlement to about 20 million acres for public schools (every Section 16 and 36),

500,000 acres for miscellaneous internal improvements, and approximately 438,000 acres for the support of the University of Alaska. (Under Gardner's proposal, the university's total acreage would consist of the 2,250 acre campus, the 1915 Tanana Valley Section 33 reservation—erroneously calculated by Interior to be about 336,000 acres—and the 1929 land grant of 100,000 acres.) (U.S. House 1947: 14)

In the spring of 1948, Delegate Bartlett and the Interior Department compromised on the size of the statehood land-grant proposal; both agreed to support a grant of four sections in each township (Sections 2, 16, 32 and 36) totaling about 40 million acres, and to reassert the University of Alaska's rights to the entire 1915 Tanana Valley Section 33 grant, i.e. about 268,000 acres, and the 1929 grant of 100,000 acres. (U.S. House 1949: 2) Bartlett and other strong statehood supporters admitted that they would have preferred to ask for more land, but that political reality at the time dictated that four sections per township, plus Section 33 in the Tanana Valley, was the best deal Alaska could hope to receive. As retired Delegate Dimond told a Senate committee in 1950, "...we have to take this or we do not get anything." (U.S. Senate 1950: 75)

Nevertheless, others still maintained that unless Alaska received more land, it could never become economically viable as a state. Two statehood bills introduced in 1949 again repeated the original Dimond-Bartlett position: all public land not needed by the federal government, in addition to about 20 million acres for public schools (every Section 16 and 36) and about 10 million acres for the support of the University of Alaska (every Section 33). (H.R. 25 and H.R. 2300, 81st Congress, 1st Session)

FROM IN-PLACE TO QUANTITY GRANTS

Congress moved towards a revolutionary solution to the Alaska state land question in 1950, when it rejected traditional in-place grants of specific sections, and endorsed the concept of quantity grants of larger blocks of open acreage. Ironically, the most eloquent case for changing the manner in which Alaska's land would be granted, and for also granting Alaska additional land, probably originated with statehood's most vocal opponent, Winton C. Arnold, chief lobbyist and publicist for the Alaskan canned salmon industry. (Naske 1972)

At numerous congressional statehood hearings, Arnold showed charts and graphs illustrating that at the rate the rectangular survey was being extended to Alaska, it would literally take thousands of years to complete the task. (As noted previously, estimates in the 1950s were that it might take anywhere from 12,000 to 43,510 years to survey all of Alaska.) For instance, Arnold tabulated the history of land surveys in the last ten states admitted into the union, from North Dakota (1889) to Arizona (1912). On the date of admission, the percentage of surveyed land in the new states ranged from a minimum of 20 percent in Idaho, to a maximum of 100 percent in Oklahoma. By contrast, Arnold noted that only 0.672 percent of Alaska had been surveyed by 1950. (U.S. Senate 1950: 414) Since Alaska could not receive title to a specific section of land until it had been surveyed, the state would virtually have to wait forever to receive all of its land, and Arnold maintained that therefore statehood was not a practical option for Alaska.

Instead of ruling out statehood, however, the slow pace of surveys merely convinced the Senate Committee on Interior and Insular Affairs, as Bob Bartlett wrote, to adopt a "bold and precedent shattering way in determining how land should be transferred to the new state." (Naske 1972: 8) In 1957, the year before Congress finally voted to admit Alaska into the Union, Bob Bartlett recalled that during its deliberations in 1950, the Senate committee

evolved an entirely new principle in respect to land grants. Its decision was that the historic manner of passing on to the new state numbered sections after the survey should be discarded. Substituted, therefore, was the provision which has remained in every statehood bill since, namely the extraordinarily liberal and, I believe for Alaska, advantageous principle that the state should be allowed to select what land it desired from the

public domain not already appropriated or reserved. Recognizing the fact that surveys were so far behind, the Senate Committee inserted language which would permit the state to select this land 25 years after admission. Transfer was to have been made after the exterior boundaries were surveyed by the Secretary of the Interior. This is intended to speed up the whole process of land selection so that title may pass swiftly to the state instead of the state having to wait for years and years—perhaps as many as 15,000!—before receiving its land patrimony. (Bartlett to Franklin, 19 January 1957, RG 223, Box 132, HR 50)

The committee abandoned the practice of in-place grants and substituted quantity grants of blocks of land ranging in size from slightly more than 5,000 to as much as 50,000 acres, surveyed on exterior lines only. Giving the state selection rights would enable it to choose the most valuable tracts of land and avoid the traditional checkerboard pattern of land ownership which would only further increase the cost and retard the pace of Alaskan economic development. Carefully selecting land, the new state could theoretically create a consistent strategy of land planning and resource development.

103 MILLION ACRES

Besides replacing in-place grants with quantity grants, in the early 1950s Congress also broke with historical precedent by recommending Alaska receive far more acreage than any state in the history of the United States. This was necessary, a Senate report stated in 1954, because the laws for the disposal of the public domain in Alaska "have been and are vitiated to a large degree by the Federal policies of the last half century..." To alter Alaska's "distorted landownership pattern"—99 percent of the land was still under federal control—the Senate recommended in 1953 that the new state be given 103 million acres or nearly 30 percent of the area of Alaska, almost three times the percentage of land given to any other western state. (Later proposals would run as high as 182 million acres or about 50 percent of Alaska, though the final figure approved by Congress in 1958 was a total of 103,350,000 acres.) Even with such an enormous statehood entitlement, however, more than two-thirds of Alaska would continue to be federal land. "From one point of view, therefore," the Senate reported in 1954, "a grant of 103,350,000 acres may be unprecedented. From the other point of view, a grant of any smaller amount would still leave the federal government in a position of overwhelming dominance over the land and resources of the new state and its people." (U.S. Senate 1954: 2)

INTERNAL IMPROVEMENT LAND SPECIFIED FOR HIGHER EDUCATION

Most of the statehood bills submitted in the 1950s continued to recognize that higher education in general, and the University of Alaska in particular, should be given a specific amount of acreage. The basic formula for the 103,350,000 acre proposal, repeated in numerous bills submitted between 1953 and 1957, divided the state's total acreage into three categories: an unrestricted general-use grant, community development grants, and internal improvement grants. (See Table No. 1 on page 11)

The bulk of the land consisted of an unrestricted "general open grant" of 100 million acres; revenues from the disposition of this land could be "used for the running expenses and the development of the new State, as its people, through their elected representatives, may direct." (U.S. Senate 1954: 30) A second category of land was the community development grant of 800,000 acres, half of which would be selected from the public domain and half from the national forests. These lands were designated for "the development and expansion of communities." (Stein 1987: 13)

The third and final category of land, comprising the remaining 2,550,000 acres, was for specific internal improvements, including penitentiaries, reform schools, public buildings, pioneers' homes, teachers' colleges, and the University of Alaska. Virtually every piece of statehood legislation Congress considered until 1957 specified that higher education would directly receive at least one million acres of the

103,350,000 acre proposed statehood entitlement, consisting of 500,000 acres for the University of Alaska and 500,000 acres for the support of teachers' colleges or normal schools. (See Table No. 1)

TABLE NO. 1

Typical Calculation of Acreage in proposed Alaska Statehood Bills, 1953-1957

1. 100 million acres—General open grant, no restrictions.
2. 800,000 acres—Community Development Grants—to be used for expansion of communities. Half of acreage would come from the public domain, half from national forest land.
3. 2,550,000 acres—for various specified state functions and internal improvements enumerated as follows:
 - 500,000 acres—University of Alaska
 - 500,000 acres—teachers' colleges
 - 500,000 acres—public buildings
 - 200,000—schools and asylums
for the deaf, dumb and blind
 - 200,000 acres—penitentiaries
 - 200,000 acres—mental institutions
 - 200,000 acres—charitable, penal and
reformatory institutions
 - 250,000 acres—pioneer homes

(U.S. House 1953: 17)

PROPOSED ELIMINATION OF 1915 RESERVE

By the early 1950s, it seemed likely that if and when Alaska achieved statehood, the University of Alaska would receive its long-delayed increase in the size of its land grant. Invariably, all of the statehood bills before Congress addressed the need to give the university additional land. But impending statehood also raised fears in the Territory of cancellation of the 1915 public school and university land reservation. Given that Congress had rejected the concept of in-place grants in favor of quantity grants, it seemed reasonable to many lawmakers, including Delegate Bob Bartlett, that Congress should revoke the 1915 reservations and substitute a larger quantity grant.

The Territorial Department of Land warned in a December 1954 report that Alaska was in danger of potentially losing the millions of acres which the United States had reserved for Alaska education almost three decades earlier. The statehood bill then under consideration (See Table No. 1) would repeal the 1915 school land reservation, and though it would provide up to one million acres specifically for the support of higher education (500,000 acres for the University of Alaska and 500,000 acres for teachers' colleges), it would not provide specific acreage to support the school system, traditionally the prime justification for granting land to states. The report recommended that some means be found to guarantee that land be granted to support Alaska schools, just as was being done for higher education with internal improvement land under the proposed statehood bill.

There may be no objection to the repeal of the school reservation act providing some other provision is made to grant the school system 20,101,488 acres, an amount equal to the amount it would have received under that act. The original and chief purpose of making grants of land to states was for benefiting the public schools. The proposed legislation... provides grants for many other state institutions and purposes for which grants are generally made but the most important grant for the public schools is not provided for. In fact, the school system would lose the reservations that have been previously granted. (Chipperfield 1954: 13-14)

In March 1955, Territorial Land Commissioner W. A. Chipperfield drafted a bill which he believed would protect the land rights of Alaska's schools and the University of Alaska, by immediately granting to the Territory all surveyed reserved school and university sections, with funds from the sale or other use of such lands earmarked for the schools and the University of Alaska. (Chipperfield to Heintzleman, 7 March 1955, E.L. Bartlett Collection, Legislative Bill File, Box 2, Folder 19)

In response to the concerns of Commissioner Chipperfield and others, Delegate Bartlett argued that dedicated school lands were not in Alaska's best interest. Bartlett claimed Chipperfield's proposal seemed to run "directly counter to the existing concept which has been expressed in the various statehood bills for the last few years, namely, that Alaska shall have the privilege of choosing its lands rather than having to accept them by reason of established sections..." (Bartlett to Heintzleman, 26 March 1955, Bartlett Collection, Legislative Bill File, Box 2, Folder 19)

Alaska's Commissioner of Education Don Dafoe voiced similar concerns about the lack of "specific land grants for schools." Dafoe wrote Bartlett that receipts from school lands should be added to the "permanent school fund with a view toward building it up to where it would be a good endowment in 50 to 100 years from now..." (Dafoe to Bartlett, 16 April 1957) Dafoe argued that the long-term interests of Alaskan education required careful management of the school lands.

Whether or not Alaska has a good solid permanent school fund 50 years from now will depend upon how carefully school land matters are handled at this time. There is a school of thought which believes in giving away these lands for little or nothing and which believes that the monies received should be subject to immediate use in total, rather than going into the permanent school fund. (Dafoe to Bartlett, 5 April 1957, Bartlett Collection, Legislative Bill File, Box 2, Folder 20)

Bartlett responded that he was philosophically opposed to dedicating lands or funds for specific purposes.

...personally I have a very strong feeling that some of the fiscal woes of our government in all of its subdivision today are brought about by income segregations for stated purposes. Such income may be too much or too little for the objectives sought. All money for government use must come from the taxpayers, and I, for one, feel that the legislative bodies should not be shackled in appropriating according to the needs of the times. (Bartlett to Dafoe, 19 April 1957, Bartlett Collection, Legislative Bill File, Box 3, Folder 28)

DIRECT GRANTS OF SCHOOL AND UNIV. LAND

Despite Bartlett's opposition to dedicated lands and funds, he did introduce a measure in May 1955 calling for the U.S. government to grant all reserved (i.e. surveyed) public school and University of Alaska lands to the Territory of Alaska. Under Bartlett's bill, the Territorial Legislature would have the authority to dispose of the lands as they wished, however, all "proceeds or income are to be expended solely for the exclusive use and benefit of the public schools of Alaska and of the University of Alaska..." (H.R. 6242, 84th Congress, 1st Session)

The Interior Department supported Bartlett's proposal. Since the only reserved school lands were those which had been surveyed, the total acreage to be granted would have been relatively small (one estimate was about 160,000 acres). The bill provided, however, that as more sections were surveyed and therefore reserved each year, more acreage would be granted. "In all respects, the school sections should be treated as if statehood had already been conferred on Alaska," Assistant Secretary Fred Aandahl wrote. However, the Secretary wished Congress to consider both the public school land and the university land as one whole, rather than two separate pots of money. As Aandahl wrote,

At the present time, Sections 16 and 36 throughout the Territory are set aside for the support of the common schools, while the sections numbered 33 in part of the Tanana Valley are set aside for the support of the University. We

would prefer that no distinction be made by the terms of the statute, but that, instead, the proceeds from all the granted sections be set aside for the common support of the schools and the University and that the Territorial government be given discretion in the distribution of proceeds between these two educational purposes. (Aandahl to Rep. Engle, U.S. House, National Archives, RG 233, Box 113, H.R. 6242)

The bill to grant school and university sections directly to the Territory failed, as did another measure introduced by Bartlett in 1955 which would have granted millions of acres directly to the Territory of Alaska without waiting for statehood. This bill would have repealed the 1915 school and university reservation, and simultaneously granted the Territory the right to select up to 20 million acres from the public domain, approximately the amount of land that could have been reserved under the 1915 act.

The Interior Department agreed with the spirit of Bartlett's bill, which called for in-place grants to be replaced with a quantity grant.

A grant of school sections in place is a grant of lands widely dispersed on a geographical basis. Such a grant gives the recipient, within limits, a fair proportion of the various classes of lands within its boundaries, the good as well as the bad. Since the grantee's holdings are distributed over a wide area, large-scale exchange programs are required, as we have learned by experience, to bring the holdings together into manageable and economical units...

A very large proportion of the land in Alaska does not appear to promise, for the reasonably near future, any substantial economic return. A grant of school sections in place would, therefore, leave the Territory with a large body of widely dispersed holdings, needing management and protection and yielding little in the way of revenues. (Assistant Secy to Rep. Engle, RG 233, U.S. House, National Archives, Box 97A, H.R. 246)

Though the Interior Department favored quantity grants in principle, the department opposed revoking the 1915 school and university section reservation on the grounds that the Territory was not yet ready to manage 20 million acres. Rather, the Assistant Secretary of the Interior suggested granting three million acres immediately to the Territory as the first installment of a large quantity grant that would eventually replace the 1915 reservations. Furthermore, Interior Department officials suggested that the revenue from the three million acres be divided as follows:

- 20%—public schools
- 20%—University of Alaska
- 20%—University of Alaska Teacher Training
- 40%—discretion of the legislature

(Assistant Secy to Rep. Engle, 23 May 1956, RG 233, U.S. House, Box 97A, H.R. 246)

UA CAMPAIGN FOR ADDITIONAL GRANT LAND

Charles Bunnell's successors as University of Alaska president, Torris Moore (1949-1953) and Ernest Patty (1953-1960), both recognized the necessity for the university to gain additional land if it was to be placed on a secure financial footing. President Patty noted in 1955 that the university had virtually no income at all from its small amount of surveyed Section 33 land in the Tanana Valley, which he claimed was predominantly "moose pasture" anyway. He estimated the UA's total income from the Tanana Valley land reservation was only about \$20 a year. (Patty to Sen. Anderson, 21 July 1955, UA Pres Papers, 1955/56, Box 5, File 93)

President Patty made the acquisition of additional grant land and the repeal of the restrictions on existing university land—especially the prohibition against selecting mineral lands, and the ten-year leasing limit, which eliminated the possibility of any private investments on educational land—primary goals of his admin-

istration. Under Patty for the first time in its history, the University actually designated a land manager to look after its holdings.

Starting in 1954, Patty made numerous proposals to the Secretary of Interior for more land, including a request that the U.S. government grant the university part of Naval Petroleum Reserve No. 4 on Alaska's Arctic coast, so that the school could participate in any bounties from future oil leases. In order to stimulate Alaskan economic development, Patty suggested in July 1954 that the Territory be immediately granted one million acres, instead of waiting to receive several million acres that could come with eventual statehood. (Land Manager Report, 20 May 1958, Pres. Papers, 1958/59, Box 6, File 88)

Since all recognized that the lack of surveys had effectively negated any effective land grants in the past, the University of Alaska Board of Regents unanimously passed an official resolution in October 1955, requesting the right to select half-a-million acres—including mineral rights—of unsurveyed lands, to support the institution. The resolution stated:

WHEREAS, the Board of Regents, recognizing their responsibilities in the furnishing of higher education in Alaska, and whereas (sic) must continually maintain an adequate source of funds for the conduct of a good university, and

WHEREAS, it is an accepted and desirable procedure for a state university to look to the income from land under its jurisdiction as a source of funds for the university, and

WHEREAS, valuable lands in Alaska are not being developed because they have not been surveyed, and

WHEREAS, the University is being denied an important source of income because mineral rights are withheld for land under its jurisdiction;

THEREFORE, BE IT RESOLVED that the Congress of the United States is urged to enact appropriate legislation to grant the University of Alaska the authority to select land up to 500,000 acres with full mineral rights and permission to select non-surveyed land...

(Minutes of UA Board of Regents, 24 October 1955). Congress failed to act on the Board of Regents' request.

ELIMINATION OF DEDICATED LAND GRANTS

Initially, university officials were not particularly alarmed at the prospect of losing the 1915 reservation with the coming of statehood. Most statehood bills would have given the university an additional one million acres—almost four times the amount of land that the institution would have lost with the abolition of the Tanana Valley educational reserve. In the final push towards statehood in 1957-1958, however, the internal improvement grants of 2,550,000 acres—including the 500,000 acres for the University and 500,000 acres for the University's teacher training programs—were consolidated into the 100 million acre general grant, leaving the disposition of all 102,550,500 acres at the discretion of the legislature.

Beyond eliminating the specific grant of one million acres for higher education, the final statehood bill also cancelled the 1915 education reserve (though it did confirm the university's rights to the few thousand acres of Section 33 land that were already reserved and surveyed). The congressional intent clearly was that the massive unrestricted quantity grant substituted for the 1915 reserve. As Assistant Secretary of the Interior Hatfield Chilson wrote in March 1957, "In view of the quantify grants contained in the bill, we agree that section 1 of the 1915 act should be repealed. As of the present time, only a small percentage of the Territory has been surveyed, and we suggest that, as to such lands, the sections which have been reserved for educational purposes should be granted to the State of Alaska to be used by it for the purposes for which they were reserved." (U.S. House 1957: 25)

Apparently, the elimination of the designated internal improvement grants from the statehood bill for the University of Alaska and other essential state services was done with the full support and backing of Alaska Delegate Bob Bartlett, who had long

opposed attempts to dedicate state land for specific purposes. Looking back on the issue in 1964, then Senator Bartlett explained his reasoning to Gov. William A. Egan. He had always opposed dedicated land grants, he said, because he did not want to see the chaotic inter-agency bickering which had plagued Alaska during Territorial days, the same fear which led Alaska's constitutional framers to create a powerful executive branch. Bartlett continued:

I have a particularly strong feeling on this because at many times during consideration of the statehood bill, efforts were made to set aside this amount of land or that amount of land for the common schools and for other educational uses. I always resisted these and, as it turned out, successfully. My conviction was—and is—that notwithstanding the possible need for such reservations in the early statehood bills, the reasons for such have long since evaporated. I suspect that in those days there was not the dedication or devotion to education which has since come into being and it was felt that an assured source of income must be provided for the schools. That is not so in these days... (If dedication is made for one institution or one purpose, what argument could be made against expanding? None, of course. The philosophy here is closely akin, as I believe, to board control of a state agency with the Governor serving only as a figurehead. If it is done for one department of government, then almost necessarily it must be done for all. Once we are there, we have the chaos of territorial days all over again. (Bartlett to Egan, 8 June 1964, UA Pres Papers, 1963/64, Box 14, Folder 212)

V. THE LAND-GRANT COLLEGE WITHOUT THE LAND

LOSS OF A QUARTER-MILLION ACRES DUE TO STATEHOOD

The passage of the Statehood Act in 1958, without any provision for land specifically dedicated for the support of the University of Alaska, ended for the time being at least the possibility of getting additional land from the federal government. But even more critical from the point of view of the university was its loss of the balance of the Tanana Valley. Section 33 reservation—more than a quarter million acres. The statehood act cancelled the 1915 reservation of educational lands, stopping any further lands under the act from being reserved once they were surveyed, though reaffirming the university's rights to any acreage already surveyed, selected, and reserved.

University attorney Ed Merdes wrote Secretary of the Interior Fred Seaton in early 1960 to clarify the status of the Section 33 lands. Merdes wrote that one interpretation of the statehood act, could be that all Section 33s were still in fact reserved, pending a survey. Merdes argued:

From a reasonable interpretation of the language of the Act, it appears that Section 33 continues to be reserved, subject only to being surveyed; and that upon the survey of these lands, title to the same immediately passes to the state for the University of Alaska. It is not clear whether such lands are included in or in addition to the grant of 102 (sic) million acres specified in Section 6(b) of the Statehood Act and although we would like to think it is "in addition to", we suspicion (sic) it is "included in" the 102 million acres. (Merdes to Seaton, 7 March 1960, Pres Papers, 1959/60, Box 6, File 90)

The Secretary's answer has not been found in the files, however, it is clear from the historical record that the government maintained the Section 33 land could not be reserved until surveyed and selected. Therefore, any lands not surveyed prior to the statehood act, could in no way be still considered reserved.

The UA did make an effort to keep its rights to some of the disputed Section 33 land. During the week before President Eisenhower signed the statehood act on January 3, 1959, UA land manager Donald Eynck filed 64,000 acres of indemnity selections chosen in lieu of surveyed Section 33 land in the Tanana Valley which had been denied to the university. Eynck filed the applications, as attorney Merdes wrote, "to keep alive any possible rights the University might have to these lands," despite

the repeal of the 1915 reservation by the statehood act. Merdes said the filing was also done because he thought it might possibly "be the basis for either grandfather rights or legislation that would grant the University additional lands, seemingly lost by said repeal." (Merdes to Wood, 15 November 1960, Pres Papers, 1959/60, Box 6, File 85; Board of Regents Minutes, 20-22 October 1960)

The Bureau of Land Management rejected the university's 64,000 acre indemnity selections on the grounds that the selections were not timely. BLM argued that as of January 3, 1959, the official day Alaska became a state, the reservation was no longer in existence. Since, by that date, the lands had not yet been reserved, title could not be transferred. It is unclear from the record, however, precisely why applications filed prior to January 3 would have been automatically disallowed and not given some grandfather rights.

Merdes contacted now Senator Bartlett's legislative assistant, Joe Josephson, about the impact of the statehood act on university land selections in the Tanana Valley. Based on his research in unpublished Congressional hearings, and discussions with Senator Bartlett, Josephson replied unequivocally that Congressional intent in the statehood act had been for the new state government to address the issue of the size of the university's land grant. In a memo to Merdes, Josephson wrote:

The theory of the land-grant provisions in the statehood act was that they would replace inter alia [among other things] the reservations authorized in 48 U.S.C. 353 and that the state university would petition the state government to satisfy the needs of the University which previously to statehood were met in part by 48 U.S.C. 353. (Josephson to Merdes, 10 November 1959, Pres Papers, 1959/60, Box 6, File 85)

Besides the legal issue, Josephson argued that it would be politically disastrous to ask Congress to reopen such a major clause of the statehood compact as the land grant.

Such a decision would encompass broad issues of tactics affecting all the legislation which relates to the welfare of Alaska. Unfortunately, there may still be members of Congress who look at the admission of Alaska with a disapproving eye and who would seize upon proposed legislation to make the terms of the Act of Admission more generous from the state's point of view to prove that their position against statehood was correct and, possibly, to justify rejection of other programs. (Josephson to Merdes, 10 November 1959, Pres Papers, 1959/60, Box 6, File 85)

Merdes accepted Josephson's reasoning, and recommended the university drop the 64,000 acre claim against the federal government and concentrate on getting additional land from the state government. "For even if the lands were reserved," Merdes wrote in a memo to the university president, "let alone merely filed upon, there still would be no chance of success, since the intent of Congress was to repeal 48USCA 353, and thereby permit the University to obtain future lands from the State under the generous grant given to Alaska in the Statehood Act, rather than as an individual entity." (Merdes to Wood, 10 November 1960, Pres Papers, 1959/60, Box 6, File 85)

LEGISLATIVE APPROVAL OF ONE
MILLION ACRES FOR UA

The university sought redress for its land deficiencies from the state of Alaska. Probably the clearest evidence that many Alaskans assumed that the new state would designate additional lands for the support of the university was the passage by the first state legislature in the spring of 1959 of a measure authorizing the state to reserve one-million acres for the UA.

The original version of the university land bill (House Bill No. 176) declared the legislature's ultimate intent was eventually to grant the university five million acres "for the purpose of replacing those grants previously allowed under federal law... which has been superseded... and for the further purpose of establishing a means by which the University may be properly maintained and operated and direct state support thereby reduced." The measure specifically called for the UA to "select, accept or

secure by July 7, 1983" one million acres "from those lands granted the state by the federal government." Sixteen legislators from across Alaska—or 40 percent of the entire body—joined in sponsoring H.B. 176. Among others, the list of sponsors of the UA's land restitution bill included future Alaska governor Jay S. Hammond of Naknek, House Speaker Warren Taylor, the entire Fairbanks delegation, and other members from Anchorage, Nome, McKinley Park, Cordova, McGrath, Seward, and Point Barrow.

A committee substitute scaled down the legislative intent language to one million acres. "This reservation of land," the substitute bill stated, "shall be for the purpose of replacing grants of certain Sections 33 in the Tanana Valley previously allowed under federal law and now superseded" by the statehood act. (Committee Substitute for H.B. 176)

After a heated debate, the committee substitute passed the House on March 24, 1959 by a vote of 26-10, with four absences. One legislative observer noted that opponents of the bill were either "anti-university" (no one from Southeastern Alaska supported the measure) or were "anti-dedicated fund votes as they considered the granting of land another form of earmarking funds..." (Butler to Patty, 24 March 1959, Pres Papers, 1958/59, Box 6, File 93) In the state senate, the one million acre appropriation passed unanimously 20-0, after Senators changed the terminology in the bill from "granting lands" to "reserving lands for the support of." (Alaska Senate Journal, 1st Legislature, 1st Session, 1959: 859-860)

**EGAN'S VETO OF ONE MILLION
ACRE UA RESERVE**

It came as a shock to President Patty and the Board of Regents when Governor William A. Egan vetoed the one million acre bill on May 4, 1959. Egan gave numerous justifications for his rejection of the legislature's bill, and his veto message detailed his strong philosophical objections to it. His veto read in part:

I am vetoing COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 176, a bill intended to reserve lands for the support of the University of Alaska, because I believe it wrong in principle, inconsistent with constitutional concepts and not in the public interest. In so saying, I may add that I would act similarly on any bill which sought, as this does, to make special disposition of the proceeds of public lands in aid of one public function to the exclusion of others. For more than a century and a half, the United States has granted to new states, on admission, lands for particular purposes. These so-called 'internal improvement grants' have been made for a variety of purposes, i.e., public schools, universities, normal schools, capital building, penal institutions, etc., and have comprised in all, a hodge-podge of grants for varied purposes, without assurance that in selection, income potential, or quality, lands so earmarked would be equitably apportioned among state functions.

Governor Egan correctly stated that traditionally federal lands were specifically earmarked for internal improvements such as penitentiaries, mental institutions, etc.. But as this report has demonstrated, the vast majority of federal land grants to states were for the support of education. Egan then gave the legislature his version of why the land provisions in the Alaska statehood were unique.

Some years ago, a Senate Committee headed by Senator O'Mahoney of Wyoming, while considering Alaska's proposed admission to the union, developed an entirely new concept of federal land grants to newly admitted states. That new concept sought, instead of the earmarked 'internal improvement' grants, to grant to the new state a specified total acreage for the support of state functions, yet earmarked for none. In short, the proceeds of such lands would go to the state treasury for suitable allotment of income by the legislature to the various state functions as circumstances might from time-to-time require.

That proposal, in terms of lands, is consistent with Alaska's constitutional and budget concepts regarding public monies and their earmarking, and allows desired flexibility in meeting changed conditions from year-to-year.

The governor then explained the heart of the matter as far as he was concerned. If the university received its internal improvement grant, how could the state refuse similar land grants for other state functions? According to Egan, the university was no different from any other agency of state government.

If we are to return to the 'internal improvement' concept of earmarking state lands, can we in good conscience limit the practice to the University? Why not similar provision for common schools, public buildings, hospitals, penal institutions, highways, airports, aid to dependent children, and so on throughout the entire list of important state functions? Certainly, this bill invites similar treatment for other state responsibilities. By this bill, the door would be opened to an unplanned disposition, or dissipation, of the resource without regard to relative need and without regard to the clear constitutional and congressional intent.

Besides Egan's philosophical opposition to the state granting additional land to the university, he claimed UA leaders were mistaken in believing that unsurveyed Section 33 lands were ever truly University of Alaska lands. The confusion arose from the difference between surveyed reserved lands (such as the 1915 in-place Section 33 reservation) and granted lands (such as the 1929 quantity grant of 100,000 acres).

Prior to the passage of the statehood bill, certain Sections 33 in the Tanana Valley were reserved, not granted, to the territory on the condition that their rental proceeds go to the University... To suggest that those other areas, which, on survey some time in the distant future, would have become numbered Sections 33 in the Tanana Valley, but which have never been surveyed and, therefore, have never been reserved nor productive of income for the University, have now been lost, is to say that the University has lost something it never had.

In conclusion, Egan rejected what had long been the basic financial concept behind the land grant institution. "I wish to make it perfectly clear that I have great interest in the University of Alaska," he wrote, "and that this veto is motivated by good administrative practices alone. The University's financing will be sounder and more certain by reliance on the appropriation and bonding processes." (Alaska Senate Journal, 1st Legislature, 1st Session, 1098-1100)

REACTION TO EGAN'S VETO

President Patty and the regents assumed that Egan's veto was based on the fact that the governor had been hospitalized with a severe illness when the measure was under discussion, and that he misunderstood the unique role and history of land-grant colleges in America. Following the passage of the bill by the legislature, Patty had never even bothered to contact Egan, thinking the governor was sure to sign it into law. As Patty wrote one legislator on June 15, 1959:

We were completely caught off base by the Governor's veto of the land bill. I think he made a very serious mistake which was based largely on the fact that he did not understand that there is historical precedent in every state of land grants to their land-grant university. Also, I feel he was not advised of the fact that the University lost potentially (sic) millions of acres of land under the Statehood act. (Patty to Erwin, 15 June 1959, Pres Papers, 1959/60, Box 6, Folder 96)

C.W. Snedden's *Fairbanks Daily News-Miner*, a key player in the battle for statehood, explained that Egan's veto left the "University in the slightly unique position of being a land-grant university without any land to speak of." *The News-Miner* continued:

Governor Egan may have lost sight of the fact that with the coming of statehood to Alaska, the University of Alaska lost its right to acquire almost a million acres of Alaska land.

The University's rights to this land, as has been stated by Dr. Ernest Patty, president of the University, have been 'washed out' in the bill which granted more than a hundred million acres of land to the new state. We agree with Dr. Patty in the belief that the theory behind depriving the University of this land was that Congress felt the state would provide adequately for the University through special land grants.

The assumption was proved correct when the legislature acted to ensure that a land area equivalent to that lost to the University by passage of statehood was restored... We do not believe that Governor Egan's veto of this bill has or will ever have the support of the Alaskan public. We feel the veto reflects a lack of appreciation for the importance of providing an independent source of revenue for our University—an ever growing asset not subject to the whims of future legislatures. (News-Miner, 7 May 1959)

THE UA'S "STARVATION
GRANT"

Patty wrote Egan in February 1960 to renew the campaign for the university's land bill. "The Regents and I felt that this was the most forward looking Bill for the University that had ever reached the Legislature," Patty wrote, "and we were all surprised when you vetoed it. This veto came shortly after you returned from the hospital and I blamed myself for not making a special trip to Juneau to explain the background of the bill." (Patty to Egan, 8 Feb 1960)

In his six-page letter, President Patty highlighted for the governor ten reasons why the legislation was essential:

1. The history and theory behind the Morrill Act setting up a Land-Grant University in each state is based on the theory that each Land-Grant University would be given a land grant for the partial support of the University...
2. The Statehood Act for Alaska took away from the University the major portion of its original Land Grant.
3. The University now has only a minimal grant of land; much of this is of no immediate value and compared, area wise, to the other states, it is one of the smallest and (sic) unpromising grants of any state university.
4. Most universities now have a subsidiary income from lands or other property. This is generally used for research and for projects that cannot be readily financed from legislative appropriations. The income from lands should be invested in an endowment fund and only the income from this fund should be disbursed. The idea the University might possibly secure an income beyond its reasonable need is a misconception beyond the realm of possibility.
5. There may come a time in the history of the state when some great financial crisis will develop. If the university had, by that time, developed an important endowment, then the income from this might be very helpful in tiding the university through the difficult period.
6. To avoid duplication, the land granted to the university would be handled by the state Division of lands and there would be limitations on the amount of land which the university could acquire in any one year.
7. The land-grant idea is workable and has 100 years of history behind it.
8. A broad financial base is important.
9. (A) Strong state university is vital to growth of state...
10. A subsidiary endowment income will help to make the difference between a moderately good university and an outstanding university.

Patty detailed the history of the university's land grant. He recounted how the statehood act had cost the university some 259,296 acres of the total 268,800 acre reservation created in the Tanana Valley in 1915 and called it a "pathetic situation." The university's total income from its 1915 Tanana Valley land was only \$243 a year.

Even with the 100,000 acre grant of 1929, which the statehood act had not affected, Patty calculated that the university's total land grant amounted to only 109,504 acres. "This is a starvation grant for a land-grant university located in a state containing 365 million acres," Patty wrote. "Actually the requested addition of one million acres is very modest and is less than one percent of the land which the state will acquire."

The university president then blasted what he called the "trickle down theory" as completely counter to the theory behind land-grant institutions.

Obviously, some of the state income from land will trickle down to the university, but this violates the original concept of the Land-Grant Act which sought to provide a partial and separate form of income to supplement the work of the university, which cannot always be financed by annual appropriations.

The Board of Regents plan to use its land income as an endowment fund and to draw off only the income from this endowment. It would probably be 10 years hence before this endowment would yield an important income. Who knows, if we could build up an endowment of several million dollars the income would be vital in keeping the university alive, if lean years should come. At the present time, the endowment fund of the university, in the hands of the state treasurer, totals only \$15,300.

Patty scoffed at the idea that the university might end up with too much money if it received additional land. "This is beyond even the most remote possibility," he wrote. "The chances are many times better that you or I might win the Nenana Ice Classic." At that time, even the oil-rich University of Texas received only 39 percent of their budget from their endowment. "What a wonderful thing it would be for all Alaska if a great oil bonanza should be developed on university land and we could accumulate an endowment of 50 million dollars and use the income from this in perpetuity."

In conclusion, Patty suggested to Egan that the legislation allow the University of Alaska to select up to one million acres over the next 20 years. He predicted it could be a decade or longer before the endowment grew to any significant size. "However, I would expect that our grandchildren would conclude that we had great foresight."

Initially, Patty believed in early 1960 he was making progress convincing Egan of the rightness of the university's cause. In a memorandum to the Board of Regents in late February, Patty noted: "When I talked to the Governor several weeks ago he told me that he had been reluctant to veto the Bill and even suggested that if we would wait two or three years he might be willing to change his mind."

But on his next visit with Egan, Patty found the governor's position against the million acre grant had hardened. "Governor has become most adamant against this," he informed the regents, "and indicated that if the Legislature again passed this Bill he would veto it. Several members of the Legislature are anxious and willing to promote the Bill, but I did not encourage them for there seems to be no chance to pass the measure over the Governor's veto." (Patty to Regents, 29 February 1960, Pres Papers 1963/64, Box 14, File 206)

Governor Egan's steadfast opposition to granting the university additional land doomed the effort on the state level. Nevertheless, bills to provide the UA additional land continued to find support in the legislature and were regularly introduced throughout the 1960s.

Patty's successor as UA President, Dr. William R. Wood, kept up the fight for a new land grant from either the state or the federal government, or both. According to Wood, state and federal authorities always agreed that the university should receive additional land and agreed that the other party should provide it.

CONTINUATION OF EFFORTS IN
1960s TO ACQUIRE LAND

Wood found the possibility of acquiring new land particularly appealing, because, for the first time in its history, the university finally started to earn a sizeable income from its land holdings in 1961 when it began selling oil leases on its Kenai Peninsula land. In its first 43 years, the university's cumulative income from land was only \$16,256.03. But with the start of oil leasing in FY 60/61, the UA earned \$604,470 in one year alone, or about 38 times what it had earned since 1917. No oil was ever struck on university land, however, and thereafter the amount netted from oil leasing steadily declined. (UA Permanent Fund Statement, 1917-1971, Pres Papers, 1971/72, Box "Higher Ed...", File, Land—July-Dec)

In April 1964, when Congress was grappling with relief efforts for the Good Friday Earthquake, President Wood wired Sen. Bartlett if it would be "presumptuous" to request amending the statehood act and give the university three million acres. "This could provide base for much-needed sustained support of the university now central to development of state's resources and nationally valuable as regional environmental research center." (Wood to Bartlett, 25 April 1964) Bartlett's administrative assistant Mary Lee Council dashed Wood's hopes. "Since any omnibus or other legislation will relate strictly to the disaster," she wrote, "I would doubt very much whether legislation of the kind you mention would be entertained." (Council to Wood, 28 April 1964, Pres Papers, 1963/64, Box 14, File 212)

PRESIDENT WOOD LOBBIES FOR
NORTH SLOPE LAND

Continuing discussions with both state and federal officials, President Wood tried a new approach to acquire the three million acres he believed the university required for financial security. Wood proposed to Senator Bartlett that the university be given land from either "within the Arctic Wildlife Range, from Naval (Petroleum Reserve) No. 4, when and if the Reserve is eliminated or diminished in size, from the existing public domain, or from lands already acquired or to be acquired by the state." Before taking up Wood's suggestion with Secretary of Interior Stewart Udall, Bartlett conferred with Roscoe Bell, director of the state Division of Lands. "I am reminded that Governor Egan once vetoed a bill involving the university lands," Bartlett wrote, "but my memory on the subject is somewhat hazy..." (Bartlett to Bell, 14 May 1964)

Lands Director Bell informed Bartlett that the state would continue to oppose giving the university new lands from the public domain, simply because it would merely take away land from the State of Alaska. Already the Division of Lands faced a difficult challenge finding land that would in fact produce any revenue. "Any new authorizations for university land selection from open public domain would appear unacceptable," Bell wrote Bartlett, "because such would in effect, reduce other state land suitable for selection. (The acreage of land having apparent value seems far below the state's entitlement of 103,000,000 acres." Bell then reiterated Egan's long-standing objections. He wrote Senator Bartlett,

I am sure that you understand perfectly the state's past position in opposing a university land selection of several million acres of valuable land, which could result in a situation where the university has valuable lands producing more revenue than would be needed while other state functions were neglected because of lack of funds. (Bell to Bartlett, 27 May 1964)

However, there was one idea for giving the University of Alaska land to which Bell and Governor Egan responded enthusiastically: taking it from a pre-existing federal reserve, such as the nine million acre Arctic Wildlife Range (now known as the Arctic National Wildlife Refuge or ANWR) created in 1960.

Bell complained that though the Arctic Wildlife Range was supposed to be "subject to multiple use management," such a hope was unrealistic. The U.S. Fish and Wildlife Service, he charged, "is of necessity more or less beholden to conservationists, some of whom are radical and articulate single-use wilderness proponents (sic)." However, he speculated, "Perhaps revocation of the withdrawal could be accomplished if it were to permit a university selection for conservation and

management as a 'great Arctic Wildland Management Laboratory.'" Bell explained his proposal in some detail, by which the Arctic Wildlife Range would be supplanted by a university laboratory.

The University and its motives in management could not be questioned. The University likewise has the potential for tapping foundation monies as well as entering into cooperative agreements with federal agencies under which it might be possible to develop a program of Arctic Wildlife Research and Resource Management without unbearable cost to the state of Alaska. As 'university land,' the land would be under the full management control of the university. At the same time, multiple-use management and revenue production would be a possibility without violation of the primary purpose of the 'laboratory.' Because it appears that the state would have little probability getting the land restored to the public domain to permit normal selection and management procedures, and since the land does offer some possibility of producing revenue ultimately to help support the university, such a program might possibly be supportable by the state. Enabling state legislation would be required to authorize such a university selection of several million acres. To be acceptable, such a selection would probably be limited to lands made available by revocation of the Arctic wildlife refuge. (Bell to Bartlen, 27 May 1964)

Governor Egan supported Bell's proposal that the Arctic Wildlife Range be replaced in whole or in part by a University of Alaska Management Laboratory. Thus, the state of Alaska had no objection to the University of Alaska receiving millions of acres of additional land, if it came from a federal reserve closed to exploration and development, that would otherwise be unavailable for general state selection. There is no evidence in the record, however, that federal authorities ever showed any support for the plan.

AFTER THE LAND FREEZE

With the defeat of Governor Bill Egan by Walter Hickel in the 1966 election, Hickel promised a new era of Alaskan economic development. Yet the land freeze instituted by Secretary of Interior Udall in December 1966 virtually brought state land selections to a dead stop and extinguished the fading hope that the University of Alaska might be able to receive an additional land grant in the foreseeable future. Legally and politically the Alaska land picture grew more complex year-by-year. Within the next 15 years the open public domain in Alaska would essentially vanish, as the entire state was parceled off among development interests, environmental interests, and Native groups, with settlement of the Native Land Claims issue in 1971, construction of the Trans-Alaska Pipeline from 1974-1977, and passage of the Alaska National Interest Lands Conservation Act in 1980.

Now that Alaska's land issues have been somewhat resolved, university supporters have again proposed that additional lands be granted to the University of Alaska from either the state or the federal government, or both, to resolve the financial issue which continues to haunt the land-grant college without the land.



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- RG 233, Records of the House of Representatives
- RG 46, Records of the United States Senate

Wendy

**UNIVERSITY OF ALASKA
2005 UNIVERSITY LAND GRANT
BRIEFING DOCUMENT**

SUMMARY

The Alaska Supreme Court on March 13, 2009, voided the Alaska Legislature's action in passing the 2005 University Land Grant Bill ("Bill"). The court held unconstitutional the restriction that any proceeds of the land must be placed into the University Endowment Trust Fund, and surmised that the legislature would not have intended to grant the land without that restriction. The court, therefore, invalidated the whole act except for the part establishing a research forest. The University of Alaska ("University") is requesting the legislature to correct the court's conjecture that the legislature would not want the University to have the land that the legislature granted to it. Reenacting the Bill without the dedication to the trust fund would comply with the court's interpretation of legislative power, and would leave future legislatures with even more control than the prior Bill.

BACKGROUND

Senate Bill 7. In 2000, the Alaska Legislature enacted Senate Bill 7 ("SB 7") authorizing the University to select, with the concurrence of the Commissioner of the State of Alaska, Department of Natural Resources, Division of Mining, Land and Water ("DNR"), up to 260,000 acres of state lands for conveyance to the University. SB 7 was vetoed by Governor Knowles, and was passed into law by an override vote of 2/3 of the Alaska Legislature. Litigation over whether the override of the Governor's veto required a 2/3 vote or 3/4 vote of the legislature ensued. The Alaska Supreme Court ultimately rejected the challenge that the conveyance of land under SB 7 was an appropriation (requiring a 3/4 vote) and, therefore, the legislature had successfully overridden the veto with its 2/3 vote.

House Bill 130. In 2005, the Alaska Legislature enacted House Bill 130 ("HB 130") to replace, amend and streamline SB 7. Most importantly, HB 130 repealed the SB 7 land selection process, which was characterized by Governor Murkowski as, "...difficult, expensive, time-consuming, and subject to litigation." The selection process was replaced with a list of parcels, constituting over 250,000 acres, to be conveyed to the University. Included in the list were nine parcels subject to priority selection by newly formed municipalities, one parcel subject to the adjudication of a Native allotment, and one large parcel which was designated as a University Research Forest (51,820 acres) and would remain in state ownership, under DNR's management, until June 30, 2055. The remaining 52 parcels on the list, totaling approximately 200,420 acres, were eligible for immediate conveyance to the University (see attached list).

RECENT SUPREME COURT DECISION – SEACC LITIGATION

In April 2007, seven years after SB 7 passed into law and two years after HB 130 passed into law, the Tongass Conservation Society and Southeast Alaska Conservation Council ("SEACC") filed a lawsuit claiming that SB 7 and HB 130 both created a dedication of funds in violation of the Alaska Constitution. On March 13, 2009, the State of Alaska Supreme Court issued an Opinion in favor of SEACC finding that the legislature could not require that proceeds from the land be placed into the University's Endowment Trust Fund. That 33-page opinion states, in part:

We hold that (1) the sections of the act committing proceeds from the granted lands to the endowment trust fund are unconstitutional under the dedicated funds clause and (2) those sections are not severable from the remainder of the act, with the exception of provisions creating a research forest.

* * * * *

In arguing that the act should be entirely invalidated, excepting the research forest provision, SEACC focuses on the second part of the *Lynden Transport* test. It argues that the “central and critical intent behind the enactment of SB 7 and HB 130 was the creation of a permanent endowment trust fund for the University.” Because this objective cannot be accomplished, SEACC argues that allowing the land grant provisions of the act to stand “would result in an entirely different statute than the legislature enacted.” SEACC notes that under the sections that would remain if we permitted severance, the University would be the owner and manager of the granted lands but the proceeds from the sale or use of the land would not be placed in trust under AS 14.40.365(j) and AS 14.40.400(a)(2) and (c). Instead, the proceeds would by default be deposited in the University receipts fund, which is a non-dedicated account subject to legislative appropriation. Though the source of the funds might give the University a hope or expectation that the funds would be appropriated for the University, SEACC argues that this would be a mere “talking point,” and the legislature would be able to appropriate the funds for any agency and any purpose. SEACC also points out that the entire proceeds from the sale or lease of the lands would be subject to appropriation each year. SEACC reasons that making all proceeds available to spend would conflict with the legislative intent that all net proceeds be capitalized and preserved in perpetuity in the ETF.

* * * * *

The land grant provisions of the act, if allowed to stand alone, would not enhance the University’s endowment. With only the land grant provisions, the legislature would appropriate on an annual basis the net proceeds gained from the sale or use of the land. The appropriation could be directed in whole or in part to the University or any agency. The appropriated proceeds would be available for immediate use. They would not be capitalized and preserved. If the University were to sell the land, which would be likely given the legislature’s goal of encouraging development, the land could be substantially disposed of within a few decades. Because the net proceeds from the land would be spent rather than saved, the benefits from the land grant, far from lasting in perpetuity, could be dissipated in a relatively short period of time.

* * * * *

In light of the considerations we have discussed above, we believe that there is a distinct risk that allowing the land grant provisions to stand without the strict protections the legislature imposed to ensure that the grant would last in perpetuity would result in a law that the legislature would not have wanted. [footnotes deleted].

The University is requesting the legislature to reenact the 2005 University Land Grant Bill with minimal changes to delete the portion found unconstitutional by the Alaska Supreme Court at SEACC's request, and to re-grant the same lands to the University of Alaska with the offending portion of the 2005 University Land Grant Bill deleted. This would actually leave more control in future legislatures than the original Bill.

STATUS OF LAND CONVEYANCES

A total of 30 of the 52 parcels (58%) eligible for conveyance under HB 130 have been conveyed to the University. DNR and UA Land Management have completed all of the title research necessary to complete the conveyance of 19 of the remaining parcels, leaving only three parcels to be further researched.

Many of the parcels are important for educational purposes, including:

- **Fairbanks Parking Garage** – This 115,133 gsf parking structure is located on a 1.11 acre parcel on the east side of Barnette Street between 6th & 7th Streets. The structure provides adequate and legally required parking to meet City Code requirements for full and functional use of the old Fairbanks Courthouse building. The old Fairbanks Courthouse Building houses the University's Tanana Valley Community College. In addition to its own use of the Fairbanks Parking Garage, the University has issued a land use permit that allows the State to occupy certain parking spaces in the facility, at cost.
- **Poker Flat Rocket Launch Facility** – This 533-acre parcel is the site of the UAF Poker Flat Research Facility, the only university owned and operated high-latitude, auroral-zone rocket launching facility in the United States. This parcel is located approximately 30 miles north of Fairbanks on the Steese Highway. In addition to UAF's occupancy, the University leases a building on this parcel to a third-party to accommodate a commercial satellite ground station that benefits UAF.
- **Silver Fox Mine** – This 120-acre parcel is located approximately 10 miles north of Fairbanks, off the Elliott Highway, and is used by UAF for mining research and training purposes.
- **Auke Weir** – This 5.65-acre parcel is located west of the Glacier Highway, north of Fritz Cove Road, and adjacent to the UAS Juneau Campus. The parcel is generally more suitable for research because of its steep topography and a creek that runs through it.
- **Sitka Campus** – The UAS Sitka Campus is located on this 6.38-acre parcel.

**2005 University Land Grant
Parcel Conveyance Status Summary**

No.	UA Identification Number	Parcel Name	Region	Educational Unit	Actual Acres to be Conveyed	Current Status	Final Executed Deed to UA	Land Grant Summary
1.	FA.CO.0009	Fairbanks Key Bank Site	Northern	UAF - Educational	0.43	Conveyed*	12/05/2007	Total
2.	FA.DT.4001	Fairbanks Courthouse	Northern	UAF - Educational	1.37	Conveyed*	11/22/2002	Grant Acres
3.	FA.DT.4002	Fairbanks Parking Garage	Northern	UAF - Educational	1.11	Conveyed	04/07/2006	264,522
4.	WM.PF.4006	Poker Flat Lease	Northern	UAF - Educational	532.74	Conveyed	06/04/2008	
5.	FA.GL.4004	Silver Fox Mine	Northern	UAF - Educational	120.00	Conveyed	06/04/2008	Total
6.	WR.TK.4002	Tok Research Forest	Northern	UAF - Educational	4,007.24	Conveyed	11/06/2008	Educational Acres
7.	JU.JC.4022	Auke Weir	Southeast	UAS - Educational	5.65	Conveyed	05/21/2008	90,647
8.	ST.SC.4001	Sitka Campus	Southeast	UAS - Educational	6.38	Conveyed	05/21/2008	34%
9.	NA.NS.0001	Dalton Highway MP 345 to 347	Northern		894.00	Conveyed	07/09/2007	Total Speculative
10.	FA.CO.0010	Fairbanks Noyes Slough	Northern		9.00	Conveyed	05/21/2008	Oil & Gas Acres
11.	FA.CH.0017	Jennie M. Creek C	Northern		4.50	Conveyed	05/21/2008	95,488
12.	SD.SL.LB01	Summit Lake (Richardson Hwy)	Northern		899.00	Conveyed	07/29/2008	36%
13.	NE.TL.LB01	West Twin Lake	Northern		1,575.57	Conveyed	12/08/2008	Total
14.	NE.WL.0001	Wien Lake	Northern		1,640.48	Conveyed	05/21/2008	Investment Acres
15.	US.DC.0001	Deception Creek	Southcentral		240.00	Conveyed	05/21/2008	78,387
16.	WR.MC.0011-12	McCarthy-Nizina	Southcentral		12,651.73	Conveyed	05/21/2008	30%
17.	US.WC.0001	Willow Creek Road	Southcentral		878.00	Conveyed	05/21/2008	Total Northern
18.	KT.CP.0001	Cleveland Peninsula	Southeast		4,073.00	Conveyed	06/04/2008	Region Acres
19.	PW.EB.0005	Edna Bay	Southeast		240.61	Conveyed	07/10/2007	214,954
20.	PW.CS.0001	El Capitan South	Southeast		864.00	Conveyed	08/21/2008	81.3%
21.	KT.LC.LB01	Leask Cove	Southeast		481.93	Conveyed	11/06/2008	Total Southcentral
22.	JU.LY.0001	Lynn Canal	Southeast		1,421.42	Conveyed	07/10/2007	Region Acres
23.	PW.MS.0001	Moira Sound/Nowiskay Cove	Southeast		47.93	Conveyed	07/29/2008	14,275
24.	PW.NS.0001	Naukati Sound	Southeast		893.00	Conveyed	05/21/2008	5.4%
25.	ST.PC.0001	Port Conclusion	Southeast		5.91	Conveyed	07/09/2007	Total Southeast
26.	PW.PD.0001	Port Dolores	Southeast		1,176.18	Conveyed	07/09/2007	Region Acres
27.	PE.RB.0001	Rowan Bay	Southeast		665.00	Conveyed	07/10/2007	35,292
28.	JU.SM.0001	Sumdum	Southeast		4.90	Conveyed	07/10/2007	13.3%
29.	KT.WC.0001	Ward Cove	Southeast		3.00	Conveyed	07/09/2008	
30.	JU.WH.0001	William Henry Bay	Southeast		315.81	Conveyed	07/09/2007	
31.	WM.PC.LB01	Caribou-Poker Creeks Watershed	Northern	UAF - Educational	25,362.00			Total Unrestricted
32.	SD.DA.LB01	Delta Ag & Forestry Exp. Station	Northern	UAF - Educational	362.87			Parcels Eligible
33.	WM.PF.LB02	Poker Flat (Special Use Area)	Northern	UAF - Educational	8,427.00			for Conveyance
34.	NA.YR.LB01	Dalton Highway MP 48 to 54	Northern		1,360.00			52
35.	NA.CF.LB01	Haul Road Nodes-Coldfoot	Northern		1,492.00			
36.	SD.JC.LB01	Jarvis Creek (PSS)	Northern		20,273.00			Total
37.	NE.LS.LB01	Lake Snohomish	Northern		684.00			Parcels Conveyed
38.	NE.OG.LB01	Nenana Oil and Gas Tract	Northern		95,488.00			30
39.	US.FP.LB01	Frying Pan Lake	Southcentral		505.65			58%
40.	ST.BI.LB01	Biorka Island	Southeast		429.05			Total
41.	PW.CC.LB01	Coffman Cove	Southeast		1,987.00			Parcels Unconveyed
42.	PW.CN.LB01	El Capitan North	Southeast		1,845.10			22
43.	JU.EI.LB01	Excursion Inlet	Southeast		887.00			42%
44.	PW.HJ.LB01	Harris Road Junction (SS)	Southeast		320.00			
45.	PW.HL.LB01	Hollis (PSS)	Southeast		424.00			
46.	PW.HK.LB01	Hook Arm (SS)	Southeast		1,280.00			
47.	JU.IV.LB01	Ivanhoe	Southeast		90.55			
48.	JU.LC.LB01	Lena Creek	Southeast		594.00			Total Parcels
49.	ST.MI.LB01	Middle Island	Southeast		642.00			with Completed
50.	KT.MB.LB01	Moser Bay	Southeast		989.83			Title Research
51.	ST.TN.LB01	Tenakee Springs	Southeast		387.91			49
52.	PW.TH.LB01	Thorne Bay	Southeast		2,929.00			94%
					TOTALS	200,420		

CONVEYANCES RESTRICTED UNDER AS 14.40.365					
No.	UA Identification	Parcel Name	Region	Educational Unit	Status
1.	PE.BP.LB01	Beecher Pass	Southeast		Borough - 09 1,443
2.	PE.FP.LB01	Favor Peak	Southeast		Borough - 09 1,193
3.	ST.MC.LB01	Mite Cove	Southeast		Borough - 09 3,564
4.	PE.RI.LB01	Read Island	Southeast		Borough - 09 1,290
5.	PE.TL.LB01	Three Lake Road	Southeast		Borough - 09 320
6.	PE.WI.LB01	Whitney Island	Southeast		Borough - 09 450
7.	PE.EW.LB01	Earl West Cove	Southeast		Borough - 13 706
8.	PE.OL.LB01	Olive Cove	Southeast		Borough - 13 2,360
9.	PE.TH.LB01	Thorns Place	Southeast		Borough - 13 640
10.	ST.LP.LB01	Lisianski Peninsula	Southeast		Native Allotment 316
11.	FA.TF.LB01	University Research Forest	Northern	UAF - Educational	Year 2055 51,820
					TOTAL 64,102

* These parcels were not conveyed under AS 14.40.365 (HB 130). They were conveyed under separate statutory authorities.

STATE OF ALASKA

**DEPARTMENT OF NATURAL RESOURCES
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January 19, 2010

Representative Paul Seaton, Chair
House Education Committee
State Capitol, Rm 102
Juneau, Alaska 99801

Re: House Bill 295 – University Land Grant

Dear Representative Seaton:

Please accept this request for your consideration to schedule HB 295 before the House Education Committee at your earliest convenience.

This bill would convey approximately 199,838 acres of state land to the University of Alaska, and specify that revenue generated by the University of Alaska's management of the land be subject to appropriation each year by the legislature.

Legislation passed in 2000 and 2005 made certain land grants to the University of Alaska and specified that the revenue generated from those lands would be deposited into the University endowment trust fund. In March 2009 the Alaska Supreme Court found these statutes to violate the dedicated funds section of the Alaska Constitution, art. IX, sec. 7.

This bill seeks to remedy those issues identified by the Court by specifying that the revenue generated from the land is to be accounted for as university receipts and therefore subject to appropriation each year by the legislature. It also ratifies and reauthorizes the land conveyances authorized in the previously enacted legislation.

The land to be conveyed under this bill is the same as what was to be conveyed to the University of Alaska in the final 2005 legislation (ch. 8, FSSLA 2005), with the exception of two parcels that were conveyed under separate statutory authority and the university research forest.

If you have any questions regarding the bill, feel free to contact Heather Brakes, Department of Natural Resources Special Assistant and Legislative Liaison at 465-4730, or Dick Mylius, Director of Division of Mining, Land, and Water at 269-8625.

Sincerely,



Thomas E. Irwin
Commissioner

STATE CAPITOL
PO Box 110001
Juneau, Alaska 99811-0001
907-465-3500
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Governor Sean Parnell
STATE OF ALASKA

January 15, 2010

The Honorable Mike Chenault
Speaker of the House
Alaska State Legislature
State Capitol, Room 208
Juneau, AK 99801-1182

Dear President Stevens,

Under the authority of Art. III, Sec. 18, of the Alaska Constitution, I am transmitting a bill relating to: the grant of certain State lands to the University of Alaska; the duties of the Board of Regents; the deposits made to the Alaska Permanent Fund received from lands conveyed to the University of Alaska; ratifying and reauthorizing certain prior conveyances of land to the University of Alaska; and making conforming amendments.

This bill will fulfill a promise made at the turn of the 20th century, when Congress promised 350,000 acres of land to the former Alaska Territorial College and School of Mines. However, since Statehood in 1959, most of this promised land has never materialized. Today, at 140,000 acres, the University of Alaska has one of the smallest land grants in the United States. Even Rhode Island's university land grant is larger. The intent of the land grants is to provide the university with a portfolio of land that will enhance its financial position and further its educational mission. Land grant colleges and universities are common throughout the United States.

Final resolution to this much overdue commitment is something I have and continue to strongly support. During my tenure in the Legislature I advocated for, and the Legislature passed, several pieces of University Land Grant legislation. By introducing this legislation I've committed to the purpose of the legislation passed in 2005 and removed constitutional issues created by that legislation.

The bill will convey approximately 199,838 acres of State land to the University of Alaska. The Legislature will specify revenue generated by the University of Alaska's management of the land be managed as university receipts, subject to appropriation each year by the Legislature. This bill ratifies and reauthorizes the land conveyances in legislation enacted in 2000 (ch. 136, SLA 2000) and 2005 (ch. 8, FSSLA 2005). These statutes were found by the Alaska Supreme Court, in *Southeast Alaska Conservation Council v. State*, 202 P.3d 1162 (Alaska 2009) to violate Art. IX, Sec. 7 (the dedicated funds section) of the Constitution of the State of Alaska, because the statutes specified that revenue generated from the University of Alaska's management of the land was to be deposited in the University of Alaska's endowment trust fund.

The Alaska Supreme Court found that the dedication provisions of the statutes could not be severed from the land conveyance provisions, rendering the entirety of the legislation unconstitutional, except for the provisions pertaining to the university research forest. The bill explicitly states the intent to convey the land to the University of Alaska, notwithstanding that revenue generated from the land may not be dedicated to

The Honorable Mike Chenault
January 15, 2010
Page 2

the University of Alaska's endowment trust. The bill addresses the constitutional infirmity by specifying that revenue generated from the University of Alaska's management of the land is to be managed as university receipts, subject to appropriation each year by the Legislature.

The land to be conveyed in this bill to the University of Alaska will be the land originally designated in the final 2005 legislation (ch. 8, FSSLA 2005), with the exception of two parcels that were conveyed under separate statutory authority and the university research forest. The bill refers to the land identified in the document titled, "University of Alaska Land Grant List 2005," dated January 12, 2005. This land list was arrived at after more than a year of intense work by the Department of Natural Resources (department) and the University of Alaska to identify land that may be conveyed to the University of Alaska without unreasonably conflicting with programs associated with, and uses of, State land managed by the department.

The land list in the bill reflects changes made by the Legislature during the 2005 session, including the Legislature's decision to drop certain parcels that were on the original list provided in January 2005. The bill will also include language added by the Legislature to protect land for possible municipal entitlement selections by the City and Borough of Wrangell and possible borough in the Petersburg area. Before the Alaska Supreme Court declared the prior land conveyance statutes unconstitutional (ch. 136, SLA 2000 and ch. 8, FSSLA 2005), the department had completed conveyance of 31 of the 52 available parcels identified in the land list. The bill ratifies and reauthorizes these conveyances, as well as provides authority for conveyance of the remaining 21 parcels.

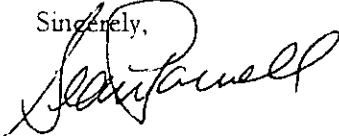
The bill also includes requirements for management of university land, such as public notice and comment opportunities on proposals for land development, exchange, or sale. Additionally, the bill exempts certain sensitive business and economic information regarding sale, lease, or development of university land from the public records production requirements of AS 40.25.100 - 40.25.295 (Alaska Public Records Act). These provisions reflect the 2005 legislation.

The prior land conveyance statutes included a provision for establishment of a university research forest. This provision is not included in this bill since the Alaska Supreme Court found that the provision in the prior legislation could be severed from the unconstitutional dedication provisions, and it was therefore upheld as constitutional.

The bill also contains a provision authorizing the deposit to the Alaska Permanent Fund of 25 percent of receipts from certain lands conveyed to the University of Alaska. A copy of the "University of Alaska Land Grant List 2005" has been provided to the Legislature and is available upon request from the Department of Natural Resources.

I urge your prompt and favorable action on this measure, which will complete the State's efforts to provide a beneficial educational and income-producing land base to the University of Alaska, while complying with the dedicated funds section of the Constitution of the State of Alaska.

Sincerely,



Sean Patnell
Governor

Enclosure

2010 Legislation: Grant of State Land to the University of Alaska

Prepared by Department of Natural Resources, January 2010

Summary of Bill: Transfers 199,838 acres of state land to the University of Alaska and addresses the March 2009 Alaska Supreme Court ruling that struck down previous university land grant legislation (2005 HB 130 and 2000 SB 7), which dedicated land revenue to the University Endowment Trust. This bill conveys the entire HB 130 land list as amended by the legislature, ratifies conveyances already in place, and directs land revenue to the General Fund instead of the university's endowment trust.

The land to be conveyed includes:

- 29 parcels located throughout SE Alaska
- 5 parcels in Southcentral, including tract at McCarthy in Wrangell St Elias National Park
- 18 parcels in Interior – including tracts along the Dalton Highway, the 90,000 acre Nenena oil/gas tract, and numerous educational properties.

The bill also:

- Excludes from transfer 9 parcels in SE that were withdrawn by the legislature in 2005 due to public opposition;
- Identifies 9 parcels in SE that would go to UA only if not selected by new Boroughs as part of municipal entitlements;
- Includes specific language addressing the March 2009 Supreme Court ruling and a one-year statute of limitations period.

The March 13, 2009 Supreme Court Decision

- The Alaska Supreme Court in *S.E. Alaska Conserv'n Council v. State*, 202 P.3d 1162 (Alaska 2009) held that 2000 SB 7 and 2005 HB 130 violated the dedicated funds clause of the Alaska Constitution by dedicating land revenue to the University's endowment trust
- The Court held that the trust provisions of the legislation reflected the key intent of the legislature to enhance the University's permanent endowment and therefore were not severable from the land conveyance provisions.
- The Court upheld provisions of the legislation that conveys a research forest (near Tanana) to the University because the research forest is not income property and was addressed independently in the legislation. The Court declined to address the other non-income properties on the conveyance list (which included miscellaneous educational and infrastructure properties).

Related Legislation

- House Bill 234 would convey 12 of the approximately 50 parcels on the HB 130 land list, including the noncontroversial educational properties and the Nenana oil and gas tract.

For more information contact:

Dick Mylius, DNR, Director of Division of Mining, Land and Water - 269-8600;

dick.mylius@alaska.gov

Heather Brakes, DNR Legislative Liaison, 465-4730, heather.brakes@alaska.gov

STATE OF ALASKA

DEPARTMENT OF NATURAL RESOURCES

OFFICE OF THE COMMISSIONER

SEAN PARNELL, GOVERNOR

- P.O. BOX 111000
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FAX: (907) 269-8918

Sectional Analysis

House Bill 295 – “An Act relating to the grant of certain state land to the University of Alaska; relating to the duties of the Board of Regents; relating to deposits made to the Alaska permanent fund received from certain lands conveyed to the University of Alaska; ratifying and reauthorizing certain prior conveyances of land to the University of Alaska; making conforming amendments; and providing for an effective date.”

Section 1 – Findings and Purpose – Explains why legislation is necessary. Paragraphs (7) – (10) specifically address issues raised by Alaska Supreme Court regarding previous legislation.

Section 2 – Legislative Intent – Clarifies the intent of the Legislature to:

- respond to the Alaska Supreme Court decision in *S.E. Alaska Conserv'n Council v. State*, 202 P.3d 1162 (2009).
- convey state land to the University even though revenue from the land will be deposited in the general fund and be subject to annual appropriation by the Legislature.
- ratify conveyances that occurred under authority of SB 7 and HB 130.
- that the land should proceed even if any other provision in the bill is found to violate the dedicated funds clause of the Alaska Constitution.

Section 3 – Amends AS 14.40.170(a) by deleting the phrase “THE BOARD OF REGENTS IN TRUST FOR” before “the University” specifying the land conveyed under this legislation cannot be considered trust land managed by the Board of Regents.

Section 4 – Amends AS 14.40.291(a) similar to Section 3.

Section 5 – Creates a new AS 14.40.365 to replace the statute the Supreme Court found to be unconstitutional in its ruling in *Southeast Alaska Conservation Council v. State*, 202 P.3d 1162 (Alaska 2009). Subsectional analysis of new AS 14.40.365 follows:

- (a) Provides that DNR will convey land to University of Alaska by quitclaim deed within two years. Conveyance by quitclaim deed eliminates expensive land survey requirements. The two-year period should not be difficult for DNR to meet because most of the work to issue the deeds was already completed after the 2005 legislation.
- (b) Defers conveyance of the University Research Forest in Tanana Valley State Forest until 2055 (50 years from passage of 2005 legislation). This deferral was requested by the University as it allows the continued use of this area as Research Forest by University while at the same time allowing continued small timber sales and forestry management activities by DNR Division of Forestry.
- (c) Allows that when federal mining claims that currently exist as inholdings to parcels conveyed by the state to the University are terminated and the land

subsequently conveyed to the state (DNR), that DNR will in turn convey this land to the University.

- (d) Ensures that the mineral estate is also conveyed to the University. This is an exception to AS 38.05.125 which requires, for most conveyances, DNR retain the mineral rights in state ownership due to provisions in Section 6(i) in the Alaska Statehood Act. Since the University is a state entity, transfer of mineral estate to the University does not violate the 6(i) provision.
- (e) Requires that conveyances to the University recognize and protect all valid existing rights.
- (f) Requires that DNR reserve access to and along navigable and public waters as required in AS 38.05.127, but limits the width of these easements on parcels along tidewater to a maximum of 25 feet (a provision specifically inserted by the legislature in the 2005 bill). These easements by regulation would otherwise have a 50-foot minimum width. This subsection also specifies that other provisions of AS 38.04 and AS 38.05 do not apply to these conveyances to the University.
- (g) Sets out additional limitations or requirements regarding the land conveyed to the University, including Section 6(i) of the statehood act that prohibits the state's alienation of mineral estate; makes conveyance subject to RS 2477 and Omnibus Act rights of way; and excludes from the conveyance to the University any valid existing state mining claims.
- (h) Requires that upon the termination of a state mining claim located within a parcel conveyed to the University under this bill, DNR will transfer that land to the University
- (i) Establishes the date of the recording of a parcel as the time when the University takes over management responsibility for land transferred under this act.
- (j) Establishes that upon conveyance to the University, all revenue and receipts accrue to the University as University receipts;
- (k) Allows the University to return land to DNR up to ten years after conveyance if it contains hazardous waste; is located on a historic or archeological site; or the University and DNR agree to the re-conveyance.
- (l) Requires University concurrence with any DNR conveyance of an irrevocable interest in a parcel to be conveyed to the University.
- (m) Allows the Commissioner of DNR to make minor boundary adjustments to correct omissions and errors.
- (n) Removes nine (9) parcels from the land list originally agreed to by DNR and the University. These 9 parcels were included in the original land list submitted to the legislature in 2005. They were removed by the legislature during committee review of the bill based upon public and community concerns.
- (o) Defers conveyance of five parcels located within the potential boundaries of a Petersburg Borough so that if a Borough forms before July 1, 2012 (two years), these parcels could be selected by a future Borough as part of its municipal entitlement under AS 29.65. If a borough does not form or the land is not selected by a future Borough, the land will be conveyed to the University. This provision was inserted in the 2005 legislation to specifically address this concern raised by the Cities of Wrangell and Petersburg during the 2005 legislative hearings.
- (p) Defers conveyance of three parcels located within the City and Borough of Wrangell pending possible selection by the new borough under its municipal entitlement (AS 29.65). Provides the Borough until December 1, 2011 to select the land, which is the deadline for Borough selections under AS 29.65.040(d). A provision to defer these selections was inserted in the 2005 legislation to specifically address potential borough formation, a concern raised by the cities of Wrangell and Petersburg during the 2005 legislative hearings. Wrangell

formed a borough after the 2005 legislation, but has not yet filed its land selections with DNR.

- (q) Defers conveyance of one parcel located within the potential boundary of a Northern Chichagof Island Borough so that if a Borough forms before July 1, 2012 (two years), this parcel could be selected by a future Borough as part of its municipal entitlement under AS 29.65. If a borough does not form or the land is not selected by a future Borough, the land will be conveyed to the University. This provision was inserted in the 2005 legislation to specifically address this concern raised during the 2005 legislative hearings.

Section 6 – Repeals and reenacts AS 14.40.366 as passed in 2005. Sets forth management requirements for university land, including preservation of historic recent public uses, public notice and comment opportunities for land development or disposal plans, and right of first refusal to closest municipality.

Section 7 – Repeals and reenacts AS 14.40.367 as passed in 2005. Exempts certain proprietary and business sensitive information related to university land disposals from the Alaska Public Records Act.

Section 8 – Establishes a one-year statute of limitations for parties wishing to bring a lawsuit regarding this legislation.

Section 9 – Requires that revenue generated from the conveyed land be handled as University receipts subject to annual appropriation by the Legislature. This section deletes the provision in HB 130 that required revenue from the conveyed land be deposited in the University Endowment Trust, thereby correcting the dedicated funds violation found by the Alaska Supreme Court in *S.E. Alaska Conserv'n Council v. State*, 202 P.3d 1162 (2009).

Section 10 – Defines University receipts to include land transferred under this new legislation.

Section 11 – Specifies that University land conveyed under this bill is exempt from general taxation.

Section 12 – Ensures that a municipal entitlement of a future city or borough is not reduced by the conveyance of land to the University under this legislation.

Section 13 – Requires that 25% of mineral revenue from University lands granted under this legislation be deposited into the Permanent Fund.

Section 14 – Restores the repeal of AS 14.40.368 regarding encumbrances and trespasses on land to be conveyed. This statute was enacted by SB 7 and repealed by HB 130. This section confirms that AS 14.40.368 is to remain repealed.

Section 15 – Ratifies conveyances made to the University under the 2005 legislation, so that DNR does not have to re-issue deeds.

Section 16 – Adds a severability clause.

Section 17 – Establishes an immediate effective date.

Board of Regents' Office
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EMAIL: sybor@alaska.edu
www.alaska.edu/bor/

OFFICE OF THE GOVERNOR
MAIL ROOM



JUN 19 2009

10946
AK
JG

202 Butrovich Building
910 Yukon Drive
P.O. Box 755300
Fairbanks, AK 99775-5300

June 15, 2009

Dear Governor Palin and State of Alaska Legislators,

The united leadership of the University of Alaska system seeks your assistance to remedy the financial injury caused to the State of Alaska's University system by the recent Alaska Supreme Court March 13, 2009, decision, Southeast Alaska Conservation Council v State of Alaska and University of Alaska. In this decision, the Alaska Supreme Court voided the Alaska Legislature's action in passing the 2005 University Land Grant Bill. The court held unconstitutional the restriction that any proceeds of the land must be placed into the University Endowment Trust Fund, and surmised that the legislature would not have intended to grant the land without that restriction. The court, therefore, invalidated the whole act except for the part establishing a research forest.

A great state needs a great university system. A great university system must have adequate resources sufficient to meet its responsibilities. A more woeful history of a land-grant college could hardly be found. The University of Alaska is a land-grant college without the land.

The State of Alaska's University system has been waiting almost 100 years with no appreciable land. For an interesting and concise account of this baneful history we would direct you to "A Land Grant College Without the Land: A History of the University of Alaska's Federal Land Grant"; a brief 20 page report by Terrence M. Cole, which we can provide to you upon request.

The united leadership of the University of Alaska system is requesting that in your capacity as the governing leadership of the State of Alaska, as Governor and Legislators, that you correct the court's conjecture that the legislature would not want the University to have the land that the legislature granted to it. We respectfully request your support for advancing higher education in the State of Alaska by reconveying these lands to the University of Alaska at the earliest possible opportunity without the dedicated funds clause that the Alaska Supreme Court found to be offensive to our State Constitution.

We the undersigned, the leadership of the University of Alaska system, thank you for your support of higher education in the State of Alaska.

Cynthia Henry, Chair
Board of Regents

Mark Hamilton, President
University of Alaska

FISCAL NOTE

STATE OF ALASKA
2010 LEGISLATIVE SESSION

Fiscal Note Number: 1
 Bill Version: HB 295
 (H) Publish Date: 1/19/10

Identifier (file name): 0829-REV-APFC-1-6-10 Dept. Affected: Revenue
 Title: University of Alaska Land Transfer RDU: Alaska Permanent Fund Corporation
 Component: APFC Operations
 Sponsor: Rules
 Requester: Request of Governor Component Number: 109

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

	Appropriation Required	Information						
		FY 2011	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016
OPERATING EXPENDITURES								
Personal Services								
Travel								
Contractual								
Supplies								
Equipment								
Land & Structures								
Grants & Claims								
Miscellaneous								
TOTAL OPERATING		0.0	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES								
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CHANGE IN REVENUES ()								
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts								
1003 GF Match								
1004 GF								
1005 GF/Program Receipts								
1037 GF/Mental Health								
Other Interagency Receipts								
TOTAL		0.0	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2010) cost: _____

POSITIONS

Full-time								
Part-time								
Temporary								

ANALYSIS: (Attach a separate page if necessary)

The APFC anticipates no impact on revenues or expenditures as a result of this legislation.

Prepared by: Ginger Blaisdell for Laura Achee Phone 465-2312
 Division: Alaska Permanent Fund Corporation Date/Time 12/18/09; 2:00pm
 Approved by: Ginger Blaisdell, Director Date 1/6/10; 1:33pm
Administrative Services Division

FISCAL NOTE

STATE OF ALASKA
2010 LEGISLATIVE SESSION

Fiscal Note Number: 2
 Bill Version: HB 295
 (H) Publish Date: 1/19/10

Identifier (file name): 0829-DNR-MLW-12-21-2009 Dept. Affected: Natural Resources
 Title Grant of State Land to the University of Alaska RDU Resource Development
 Component Title Acquisition and Defense
 Sponsor Rules Committee
 Requester Governor Component Number 2459

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

	Appropriation Required	Information						
		FY 2011	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016
OPERATING EXPENDITURES								
Personal Services	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Travel	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Contractual	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Supplies	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Equipment	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Land & Structures								
Grants & Claims								
Miscellaneous								
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES								
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CHANGE IN REVENUES ()	***	***	*** Indeterminate (see analysis)	***	***	***	***
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts								
1003 GF Match								
1004 GF	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
1005 GF/Program Receipts								
1037 GF/Mental Health								
Other Interagency Receipts								
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0	0.0	

Estimate of any current year (FY2010) cost: _____

POSITIONS

Full-time	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Part-time	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Temporary	0.0	0.0	0.0	0.0	0.0	0.0	0.0

ANALYSIS: (Attach a separate page if necessary)

This bill requires DNR to convey title to 194,379 acres of specifically identified parcels of state land to the University of Alaska within two years of the effective date of the legislation. To satisfy the land conveyance proposed under this legislation, DNR will need to complete the conveyance process for these parcels, including a land title search, identify and reserve easements, identify and reserve navigable waters, and resolve any title conflicts. This will require some DMLW staff time to complete this research, finish the preparation of legal descriptions, prepare conveyance documents, and update the state's computerized records system. Because this effort was substantially completed by the department under the provisions of chapter 8, FSSLA 2005 prior to the State Supreme Court's invalidation of that statute, only a small amount of work remains to finalize the conveyances required under this bill.

Prepared by: Dick Mylius
 Division Director, Mining Land and Water
 Approved by: Tom Irwin, Commissioner
Natural Resources

Phone 907-269-8625
 Date/Time December 21, 2009
 Date December 21, 2009

FISCAL NOTE #2

**STATE OF ALASKA
2010 LEGISLATIVE SESSION**

BILL NO. HB 295

ANALYSIS CONTINUATION

(Analysis cont.)

Accordingly, DNR does not anticipate any additional funds or positions will be required, and the department can implement the intent of this proposed legislation using existing staff and resources.

This bill is intended to expedite the conveyance of state lands, including the mineral estate, to the University of Alaska by conveying to the Board of Regents by quitclaim deed to those state lands identified for conveyance to the University in a document entitled "University of Alaska Land Grant List 2005" dated January 12, 2005. This "Land Grant List" includes lands that make up part of the Nenana oil and gas basin.

***Based on the subsurface information currently available, the Nenana basin is thought to be gas-prone. DNR believes that the gas potential of this basin ranges from moderate to good. The basin is also in close proximity to markets in Fairbanks. Andex Resources currently has an oil and gas exploration license for part of the Nenana Basin. It is impossible without further exploration to predict the exact fiscal impacts. However, the conveyance of part of the Nenana oil and gas basin to the University of Alaska could result in a significant new source of revenue and /or energy for the University with a corresponding decrease in general and permanent fund revenues.

There is a similar but lesser impact from transferring the surface and subsurface from other lands that DNR would otherwise sell or lease. That is, the Department anticipates an unspecified decrease in future revenues from the loss of these lands.

FISCAL NOTE

STATE OF ALASKA
2010 LEGISLATIVE SESSION

Fiscal Note Number: 3
 Bill Version: HB 295
 (H) Publish Date: 1/19/10

Identifier (file name): 082-UA-SWS-12-18-09 Dept. Affected: University of Alaska
 Title An Act relating to the grant of certain land to the University of RDU University of Alaska
Alaska Component Sysbra
 Sponsor Governor Component Number 730
 Requester _____

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

	Appropriation Required	Information					
		FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016
OPERATING EXPENDITURES							
Personal Services							
Travel							
Contractual	500.0	250.0	250.0	250.0	250.0	250.0	250.0
Supplies							
Equipment							
Land & Structures							
Grants & Claims							
Miscellaneous							
TOTAL OPERATING	500.0	250.0	250.0	250.0	250.0	250.0	250.0

CAPITAL EXPENDITURES							
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CHANGE IN REVENUES ()							
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts							
1003 GF Match							
1004 GF							
1005 GF/Program Receipts							
1037 GF/Mental Health							
1048 University Receipts	500.0	250.0	250.0	250.0	250.0	250.0	250.0
TOTAL	500.0	250.0	250.0	250.0	250.0	250.0	250.0

Estimate of any current year (FY2010) cost: 0.0

POSITIONS

Full-time							
Part-time							
Temporary							

ANALYSIS: (Attach a separate page if necessary)

In the short term (6 years) this bill would provide very little operating revenue, due to the fact that the funding resulting from this bill is deposited into UA's Land Grant Trust Fund (LGTF, an endowment that has a payout policy similar to the POMV principles i.e., 5% of the prior five year endowment average), however, in the long term, after substantial additions to the LGTF endowment UA can see modest operating revenue i.e., in approximately 20 years UA anticipates annual investment earnings on new land sales to reach 1% of state general fund support or \$2.6M. UA Land Management will add minimal staff to accomplish management of the new lands as this land transfer would roughly replace land inventory available for sale. Land Management operating costs are already considered in the net revenue projections.

Prepared by: Michelle Rizk, Associate Vice President Phone 450-8187
 Division University of Alaska Date/Time 12/18/09 4:40 PM
 Approved by: Michelle Rizk, Associate Vice President Date _____
Statewide Budget

February 8, 2010

Rep. Paul Seaton
District 35
Chairman, House Committee on Education
Rm. 102, Capitol Bldg.

Dear Representative Seaton:

Recently I had the opportunity to testify on this bill. I appreciate the questions you asked of various parties; they elicited answers that identified why this bill has had controversy. If I may here is how it happened:

- 2002 the Northern Southeast Area Plan is developed through a public process by the Department of Natural Resources, (DNR). State land parcels are given a land use designation, for example "recreational, undeveloped, RU", (no development or private ownership) or some were "settlement", (development or private ownership).
- 2005 HB 130 University Land grant bill; the DNR is tasked with providing a list of State land parcels for transfer to the University. Per Director Mylius, DNR/Div. of Lands, the staff did not contact the impacted communities for input as it was deemed to be too contentious of an issue; the public process was left to be heard at the legislative level. Some of the parcels carried a land use designation of "recreational".
- HB 130 is heard by Legislative committees; most of the rural communities testified with complaints about the parcels and how they were selected. Some parcels were dropped out of the bill. HB 130 is later found to be unconstitutional for issues related to dedicated funds.
- 2010 HB 295 is introduced with the "surviving" parcels from HB 130 in HB 295; one from my area has a land use designation of "recreational, RU". Other State parcels carrying a land use designation of "settlement/recreational" were dropped back in 2005.
- Director Mylius testified that if a land parcel is transferred to the University, the land use designation does not follow it.

The uproar of HB 130/HB 295 could have been avoided if the DNR had conducted a public process at the local level; contentious or not this is something an agency should do if there is to be any public support. My community has participated in a variety of public hearings involving contentious issues; for example State Ferry service and vessel design. The community provided input to agency representatives; no one was treated with disrespect; let alone tar and feathered.

Thank you for your attention, questions, courtesy and patience in dealing with this matter; most of all thank you for your leadership.

Sincerely:



Norm Carson, President
Pelican Chamber of Commerce
PO Box 98
Pelican, AK 99832

University of Alaska Land Grant List 2005



Alaska Department of Natural Resources
January 12, 2005

Revised 2010

STATE OF ALASKA

SEAN PARNELL, GOVERNOR

□ 550 WEST 7TH AVENUE, SUITE 1400
ANCHORAGE, ALASKA 99501-3650
PHONE: (907) 269-8431
FAX: (907) 269-8918

DEPARTMENT OF NATURAL RESOURCES

OFFICE OF THE COMMISSIONER

January 13, 2010

Dear Interested Alaskan:

This document, **University of Alaska Land Grant List 2005**, provides a description of state land proposed for transfer to the University of Alaska under legislation requested by Governor Parnell. The new legislation would transfer 199,838 acres of state land managed by the Department of Natural Resources to the University of Alaska.

The legislation ratifies and reauthorizes the land conveyances in legislation enacted in 2000 (ch. 136, SLA 2000) and 2005 (ch. FSS08, SLA 2005). These statutes were found by the Alaska Supreme Court in *Southeast Alaska Conservation Council & Tongass Conservation Society v. State of Alaska & University of Alaska*, 202 P.3d 1162 (Alaska 2009), to violate Article IX, section 7 (the dedicated funds clause) of the Alaska Constitution, because the statutes specified that revenue generated from the University's management of the land was to be deposited in the University's endowment trust fund. The new legislation addresses this by specifying that revenue generated by the University of Alaska's management of this land will be managed as University receipts, subject to appropriation each year by the legislature.

The new legislation requested by the Governor directs DNR to convey specific lands to fulfill the intent of previous legislations.

The types of land proposed for conveyance to the University are summarized below:

Type of Property	Approximate Acreage
Investment Properties, Southeast Alaska	34,643
Investment Property, other than Southeast	39,222
Nenana Basin Oil & Gas	90,000
Education Properties	35,973
Total	199,838

The parcels identified in the proposed legislation are the same parcels as those identified in the 2005 legislation (ch. FSS08, SLA 2005), and are described in the

attached document. This land list was arrived at after more than a year of intense work by DNR and the University to identify land that may be conveyed to the University without unreasonably conflicting with programs associated with, and uses of, state land managed by DNR.

This document lists all of the parcels originally considered in the 2005 legislation, but the proposed legislation removes some of these parcels from further consideration. Specifically, the land list in the proposed legislation reflects changes made by the legislature during the 2005 session, including the legislature's decision to drop certain parcels that were on the original list provided in January 2005. The bill also includes language added by the legislature to protect land for possible municipal entitlement selections by the City and Borough of Wrangell and a possible borough in the Petersburg area. In addition, two parcels were conveyed under separate statutory authority. The following table indicates which parcels have been removed from consideration in the proposed legislation and which parcels are deferred to address potential municipal entitlements.

The prior land conveyance statutes included a provision for establishment of a university research forest. This provision is not included in this bill because the Alaska Supreme Court found that the provision in the prior legislation could be severed from the unconstitutional dedication provisions, and it was therefore upheld as constitutional.

Sincerely,



Thomas E. Irwin
Commissioner

LAND
LIST
MAPS

University of Alaska
Land Grant List 2005
(revised 2010)
Summary

Total Acreage:

199,838

Type	Acres
Educational Properties	35,973
Nenana Basin Oil and Gas	90,000
Southeast Alaska Investment Properties	34,643
Other Investment Properties (excluding SE)	39,222
Total	199,838

	Percent
Educational Properties	18.0%
Nenana Basin Oil and Gas	45.0%
Southeast Alaska Investment Properties	17.3%
Other Investment Properties (excluding SE)	19.6%
Total	100.0%

Region	Acres
Southeast	34,655
Southcentral	14,230
Northern Interior	150,953
Total	199,838

	Percent
Southeast	17.3%
Southcentral	7.1%
Northern Interior	75.5%
Total	100.0%

University of Alaska Land Grant List 2010

Parcel #	Name	Approx. Area in Acres
Non-producing Oil and Gas Resources		
	Nenana Gas Basin Tracts - Mineral *	90,000
	Nenana Gas Basin Tracts - Land ** *	90,000
	2010 Revised Oil and Gas Resources, Subtotal	90,000
Investment Properties		
Northern/ Interior Region		
DH.IS.1001	Dalton Highway MP 48 to 54	1,360
DH.SR.1001	Dalton Highway MP 345 to 347	880
MA.HR.1001	Haul Road Nodes-Coldfoot	1,700
M1.JC.1001	Jarvis Creek (Mineral)	16,000
FA.JC.1001	Jennie M. Creek C	5
N1.LS.1001	Lake Snohomish	740
NZ.FA.1003	Noyes Slough (See Fairbanks Area Parcels map)	7
N5.RS.1001	Summit Lake (Parks Highway)	960
N1.WT.1001	West Twin Lake	1,560
N5.WL.1001	Wien Lake	1,780
	2010 Revised Northern Interior Region Subtotal	24,992
Southcentral Region		
SU.DC.1001	Deception Creek	280
SU.FP.1001	Frying Pan Lake	450
MA.MC.1001	McCarthy-Nizina	12,500
SU.WC.1001	Willow Creek Road	1,000
	2010 Revised Southcentral Region Subtotal	14,230
	2010 Revised Investment Properties Total	39,222

* The mapped extent of the parcel exceeds this amount, but will be reconfigured when the Remote Staking for Teklanika II has been completed to equal approximately 90,000 acres.

** The University will provide, at no charge to the state, reasonable access to the state land and resources west and north of the Nenana parcel.

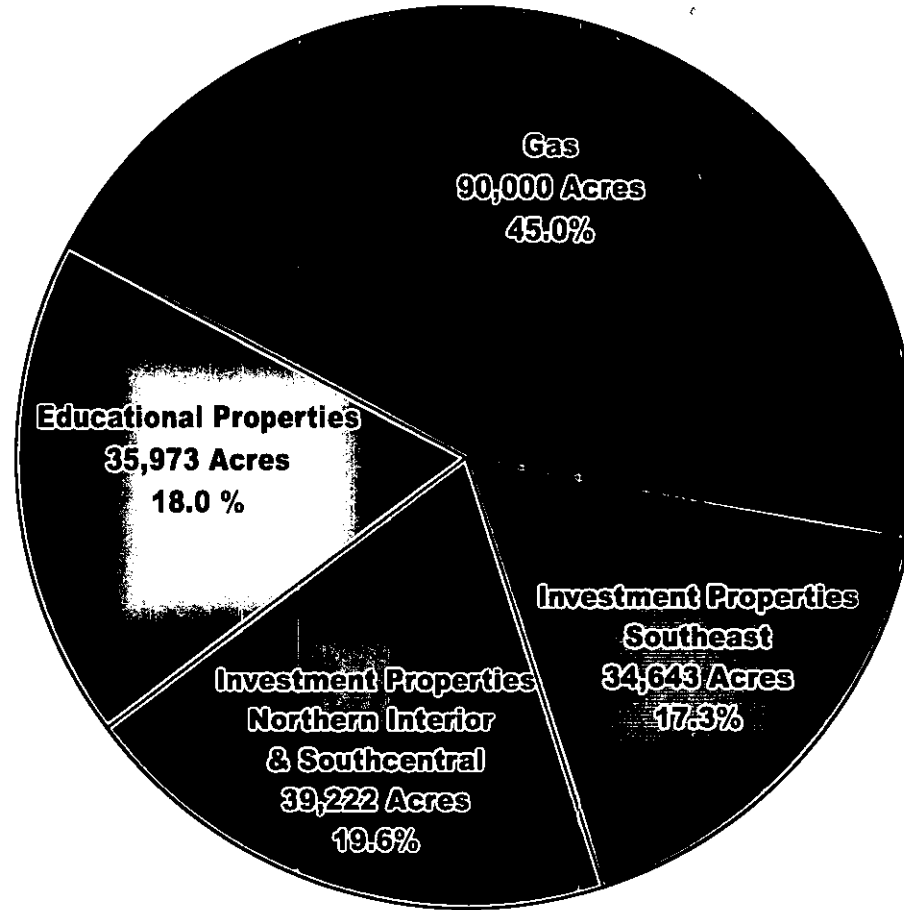
University of Alaska Land Grant List 2010

Parcel #	Name	Approx. Area in Acres
Southeast Alaska		
SD.1001	Beecher Pass	1,193
PA.1002	Biorka Island	438
KT.1002	Cleveland Peninsula	4,055
PW.CC.1001	Coffman Cove	1,984
CS.DI.1001	<i>Duke Island DELETED FROM 2005 LAND LIST BY LEGISLATURE</i>	-1,440
CS.EW.1001	Earl West Cove	3,564
PW.ED.1001	Edna Bay	250
PW.EC.1001	El Capitan North	1,847
PW.ES.1005	El Capitan South	865
NS.EX.1002	Excursion Inlet	477
SD.1001	Favor Peak	1,290
HA.CH.1001	<i>Haines - Chilkoot DELETED FROM 2005 LAND LIST BY LEGISLATURE</i>	-60
CR.1001	Harris Road Junction	320
PW.HO.1001	Hollis	622
PW.HK.1001	Hook Arm	1,280
MF.1002	<i>Idaho Inlet DELETED FROM 2005 LAND LIST BY LEGISLATURE</i>	-539
JU.NL.1001	Ivanhoe	120
CS.KI.1001	<i>Kelp Island DELETED FROM 2005 LAND LIST BY LEGISLATURE</i>	-535
CS.LE.1001	Leask Cove	460
JU.LM.1001	Lena Creek	610
NS.NS.1001	Lisianski Peninsula	1,443
JU.1002	Lynn Canal	1,358
NS.MI.1001	Middle Island	665
PA.1002	Mite Cove	320
PW.MS.1001	Moira Sound/Nowiskay Cove	160
CS.MB.1001	Moser Bay	906
PW.NA.1001	Naukati Sound	937
KT.1004	<i>Neets Creek DELETED FROM 2005 LAND LIST BY LEGISLATURE</i>	-1,500
CS.OV.1001	Olive Cove	450
ST.1002	<i>Pelican DELETED FROM 2005 LAND LIST BY LEGISLATURE</i>	-851
PA.1001	<i>Port Alexander DELETED FROM 2005 LAND LIST BY LEGISLATURE</i>	-267
PA.1001	Port Conclusion (See Port Alexander map)	10
PW.PD.1001	Port Delores	1,100
SD.1001	Read Island	706
CS.RB.1001	Rowan Bay	665
SD.1001	Sumdum	5
ST.1003	Tenakee Springs	346

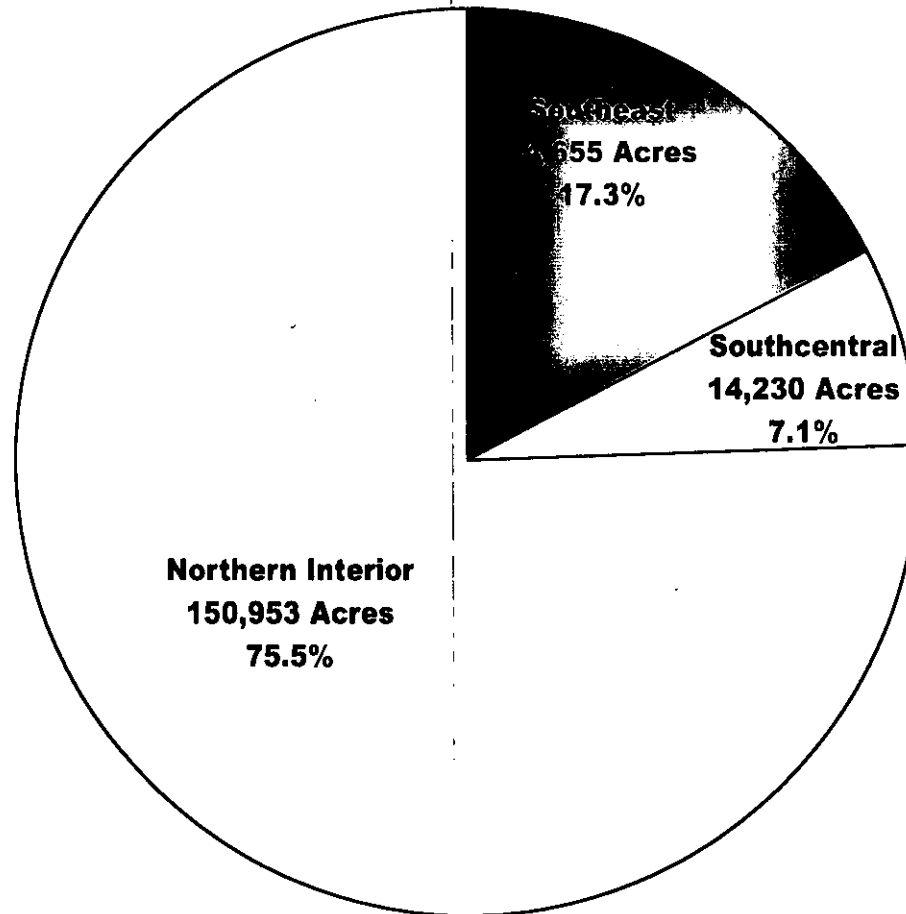
University of Alaska Land Grant List 2010

Parcel #	Name	Approx. Area in Acres
SD.1001	Thoms Place	2,360
PW.TH.1001	Thorne Bay	2,557
CS.TL.1001	Three Lake Road	640
CS.WA.1001	Ward Cove	3
ST.1002	<i>Warm Springs Bay DELETED FROM 2005 LAND LIST BY LEGISLATURE</i>	-267
SD.1001	Whitney Island	316
JU.1001	William Henry Bay	321
	2010 Revised Southeast Region Subtotal	34,643
Educational Properties		
JU.AU.1002	Auke Weir	6
LG.PC.01	Caribou-Poker Creeks Drainage	24,250
MA.XS.1001	Delta Ag & Forestry Exp. Station	363
N2.FA.1004	<i>Fairbanks Parking Garage/Court House COURTHOUSE CONVEYED UNDER OTHER AUTHORITY</i>	-1
NZ.FA.1004	<i>Key Bank Site CONVEYED UNDER OTHER AUTHORITY</i>	-1
MA.KR.1001	<i>Kodiak Rocket Range DELETED FROM 2005 LAND LIST BY LEGISLATURE</i>	-2,880
MA.PF.1002	Poker Flat (Special Use Area)	6,680
MA.PF.1001	Poker Flat Lease	533
MA.SF.1001	Silver Fox Mine	120
ST.1001	Sitka Campus	6
TV.RF.1001	Tok Research Forest	4,015
TV.TV.1001	<i>University Research Forest CONVEYED UNDER HB 130</i>	-51,820
	2010 Revised Educational Properties Subtotal	35,973
2010 REVISED TOTAL		199,838

Resource Distribution of Parcels 2010 Land List

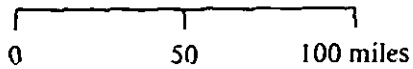
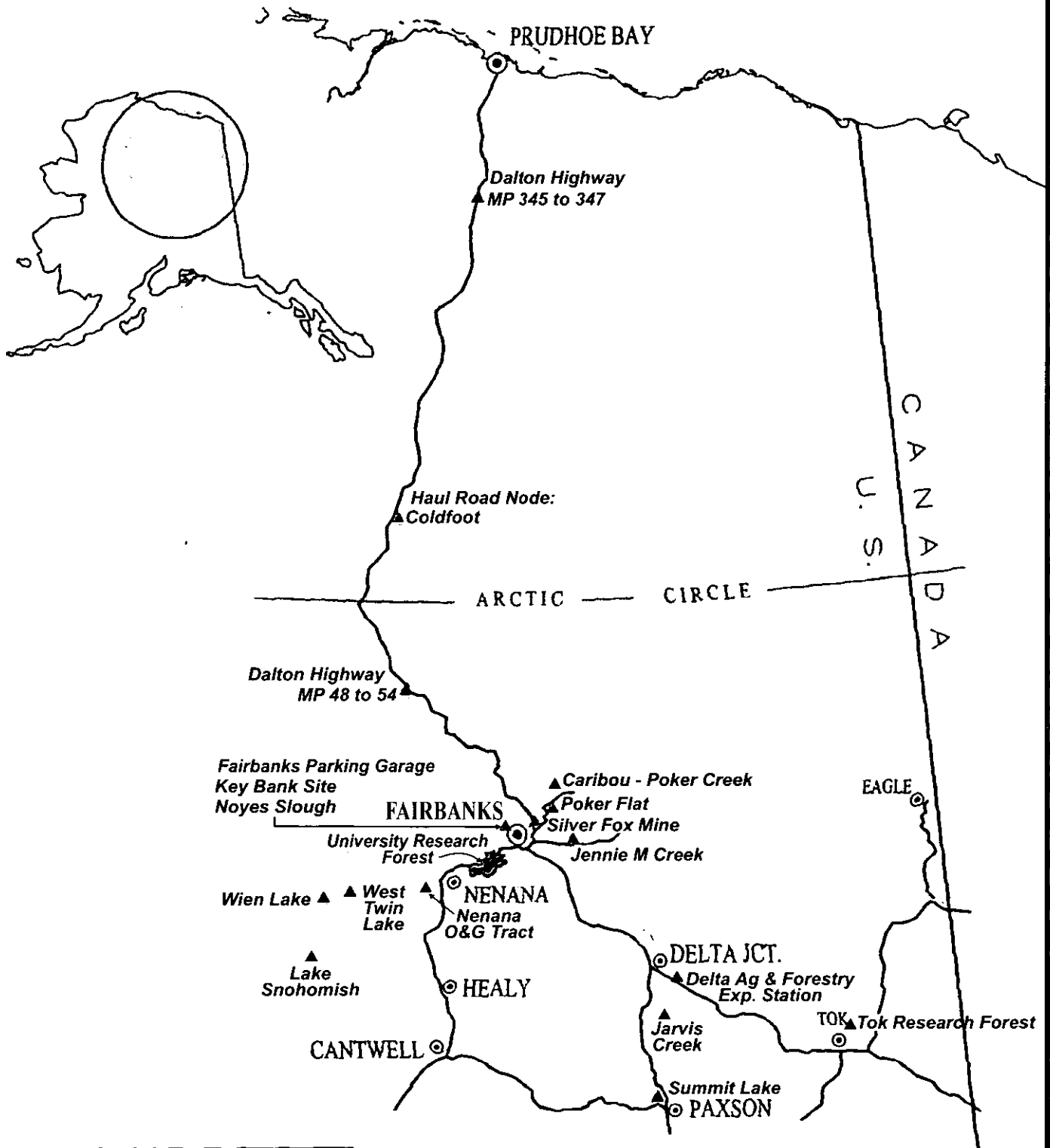


Region Distribution of Parcels 2010 Land List

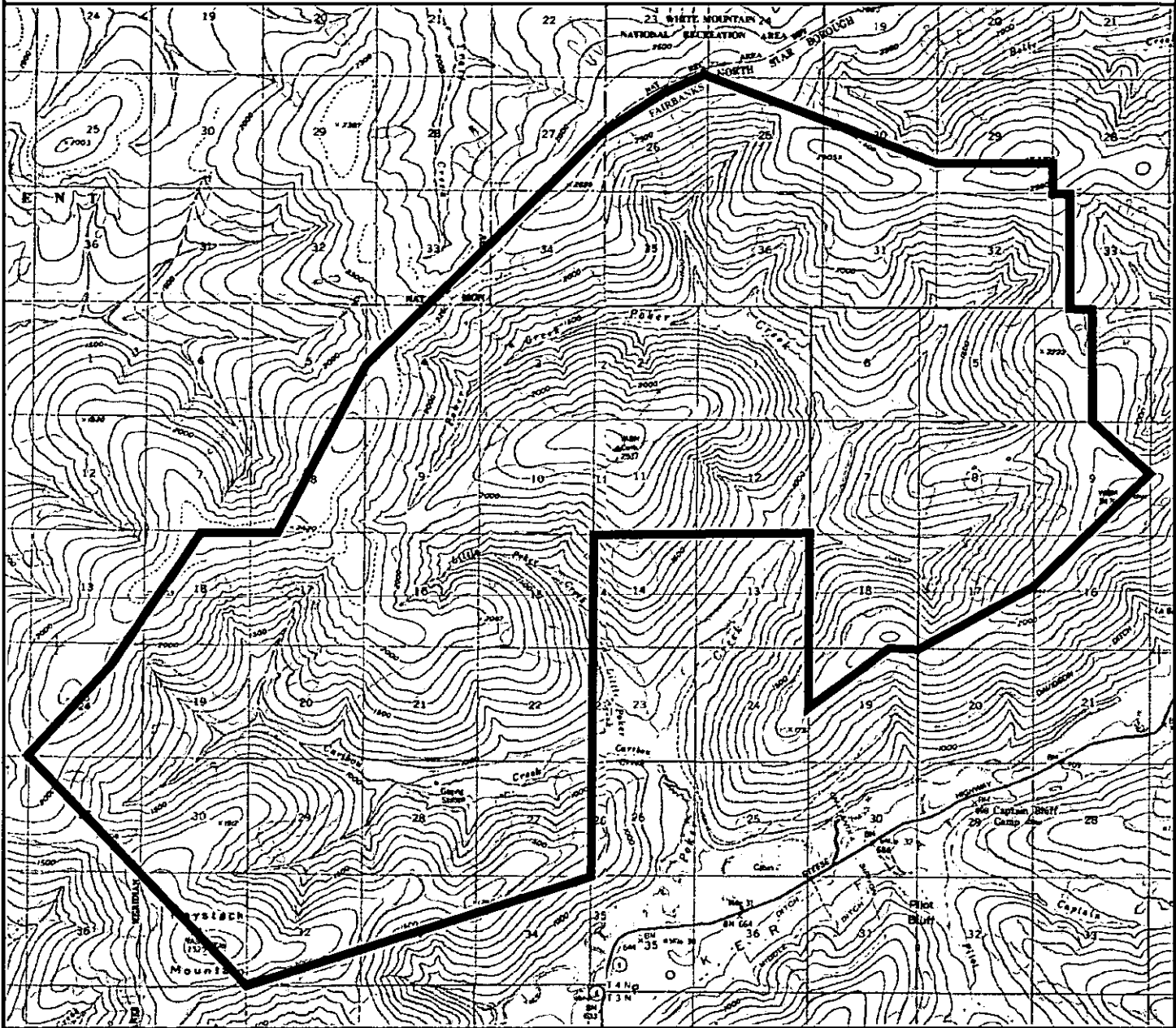


NORTHERN
INTERIOR
MAPS

NORTHERN - INTERIOR REGION



Caribou-Poker Creeks Watershed



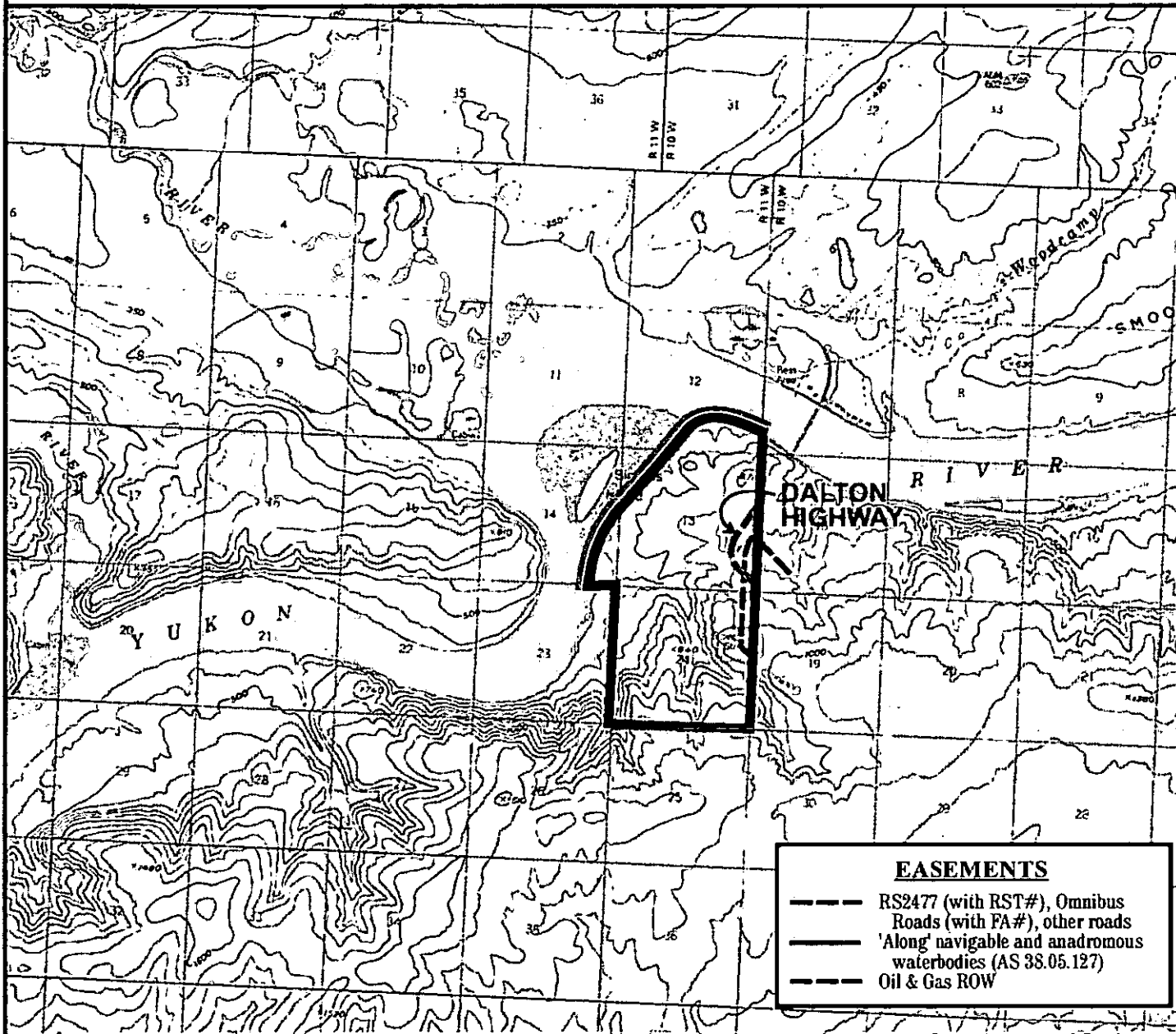
Prepared by: DNR
 Source USGS Livengood A1, A-2
 Date: 12/2004

one mile

Meridian	Township	Range
F	04N	1E-2E

Dalton Highway MP 48 to 54

DH.YR.1001



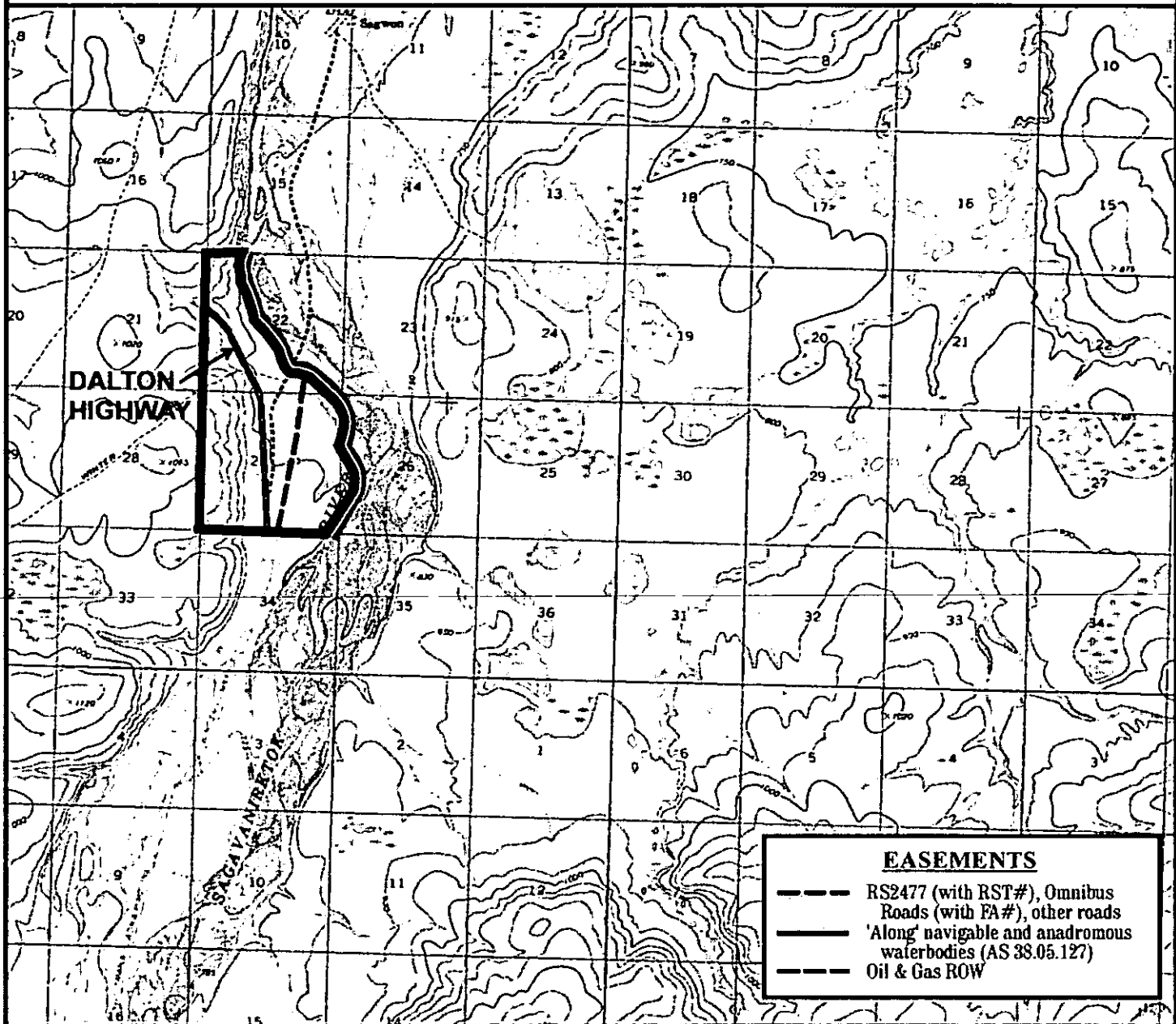
Prepared by: DNR
Source USGS Livengood D-6
Date: 12/2004

one mile

Meridian	Township	Range
FM	12N	10-11W

Dalton Highway MP 345 to 347

DH.SR.1001



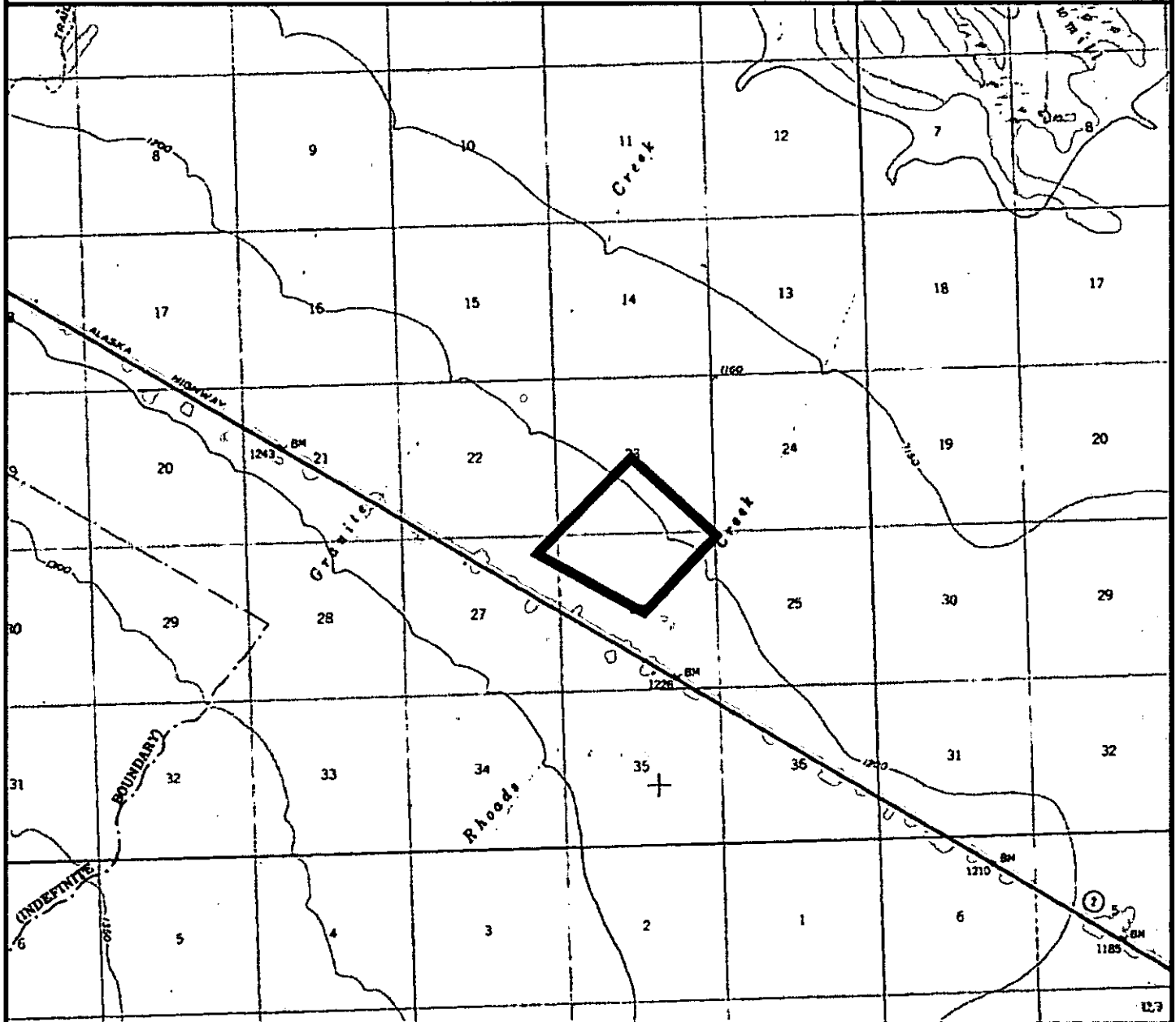
Prepared by: DNR
 Source USGS Sagavanirktok B-3
 Date: 12/2004

—|—|—|
 one mile

Meridian	Township	Range
UM	1S	14E

Delta Ag & Forestry Exp. Station

MA.XS.1001



Prepared by: DNR
Source USGS Mt. Hayes D-3
Date: 12/2004

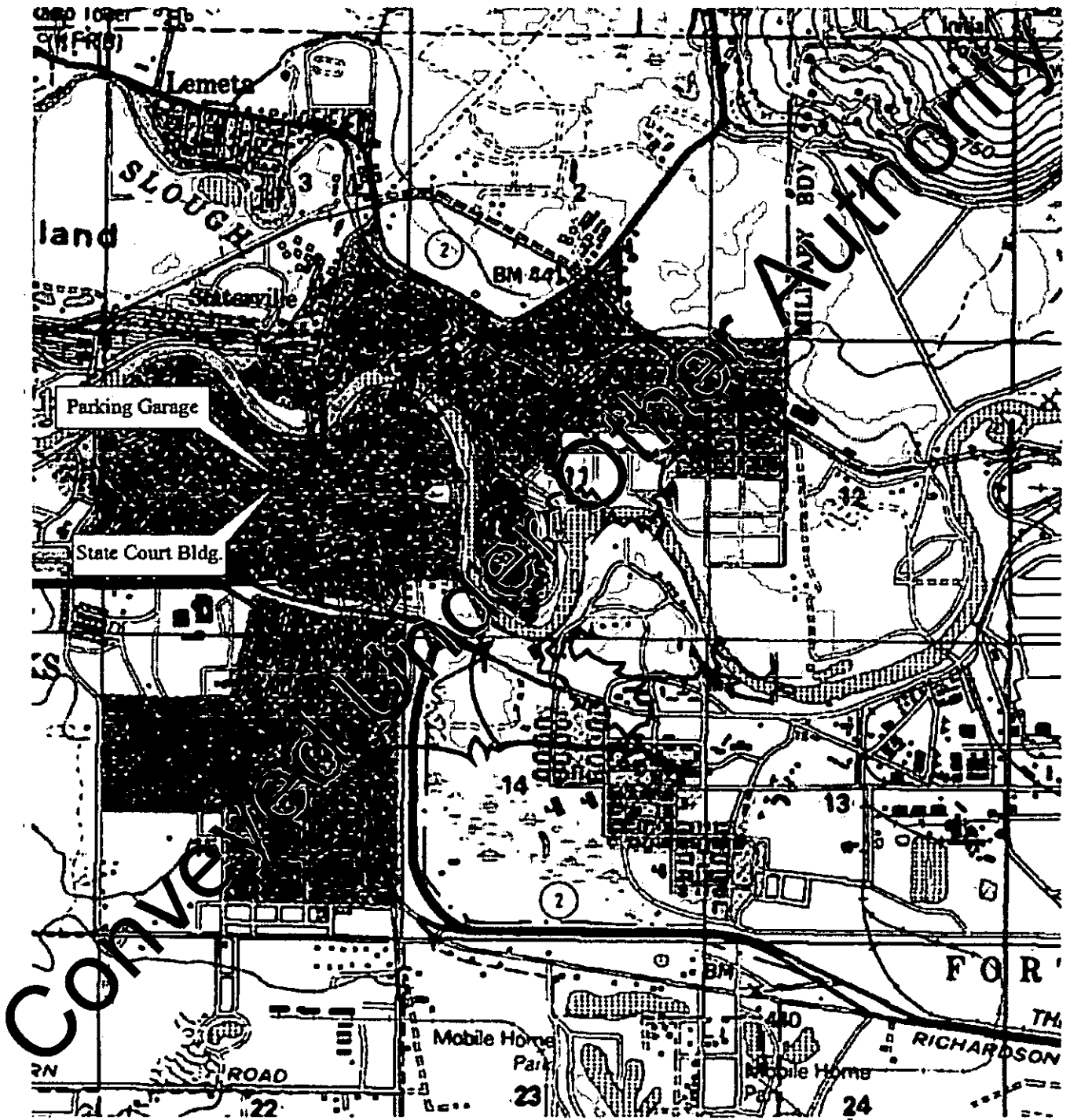
one mile

Meridian Township Range
FM 11S 12E

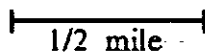
Fairbanks Downtown Parcels

N2.FA.1001 Parking Garage

N2.FA.1002 Old State Court Building



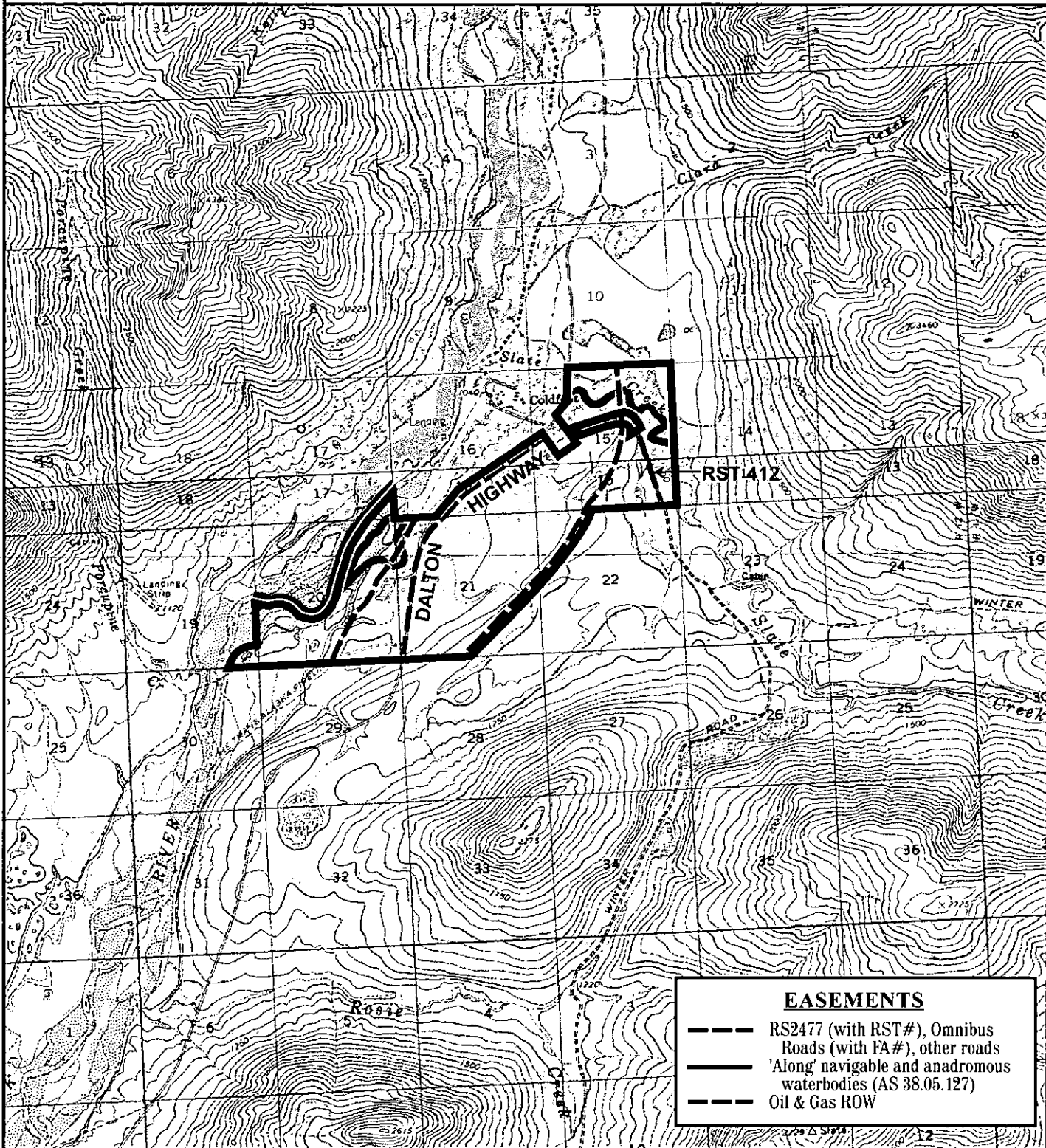
Prepared by: DNR
 Source USGS Fairbanks D-2
 Date: 12/2004



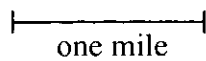
Meridian	Township	Range
F	1S	1W

Haul Road Nodes - Coldfoot

MA.HR.1001

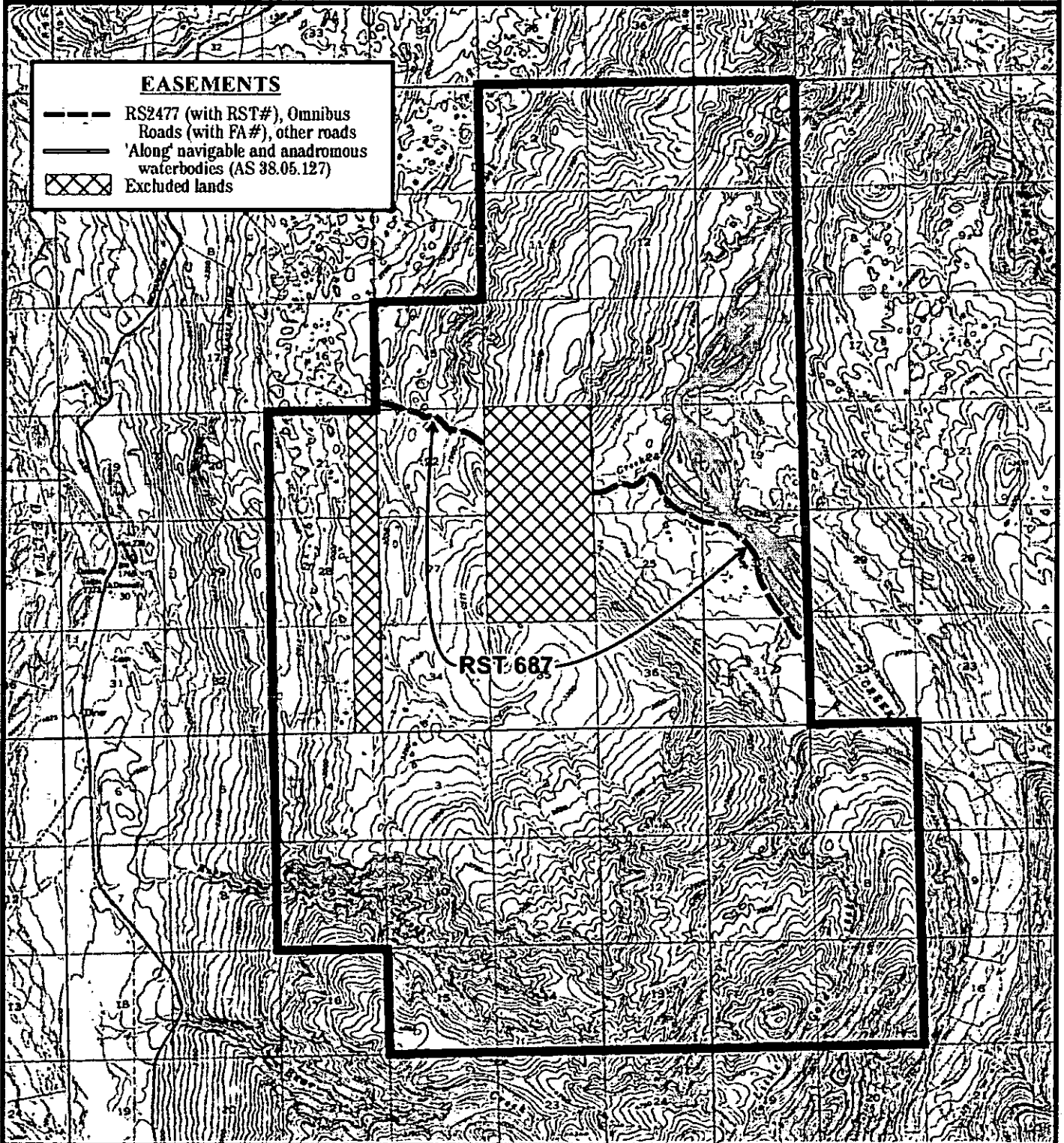


Prepared by: DNR
 Source USGS Wiseman A-1, B-1
 Date: 12/2004



Meridian	Township	Range
FM	28N	12W

Jarvis Creek Coal Field



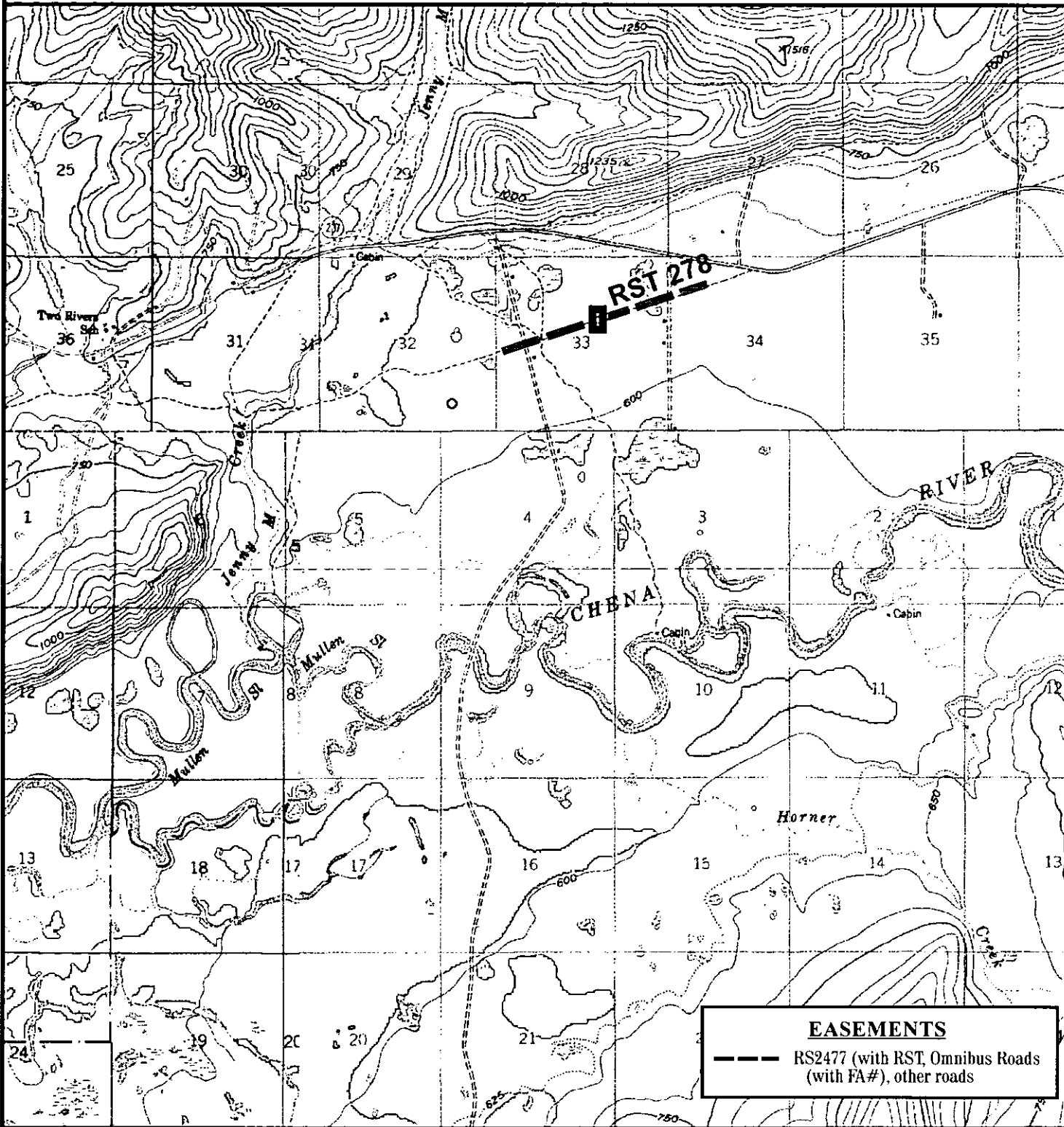
Prepared by: DNR
Source USGS, Mt. Hayes C-4
Date: 12/2004

—|—|—|
one mile

Meridian	Township	Range
FM	14-15S	10-11E

Jennie M. Creek C

FA.JC.1001



EASEMENTS
--- RST2477 (with RST, Omnibus Roads
(with FA#), other roads

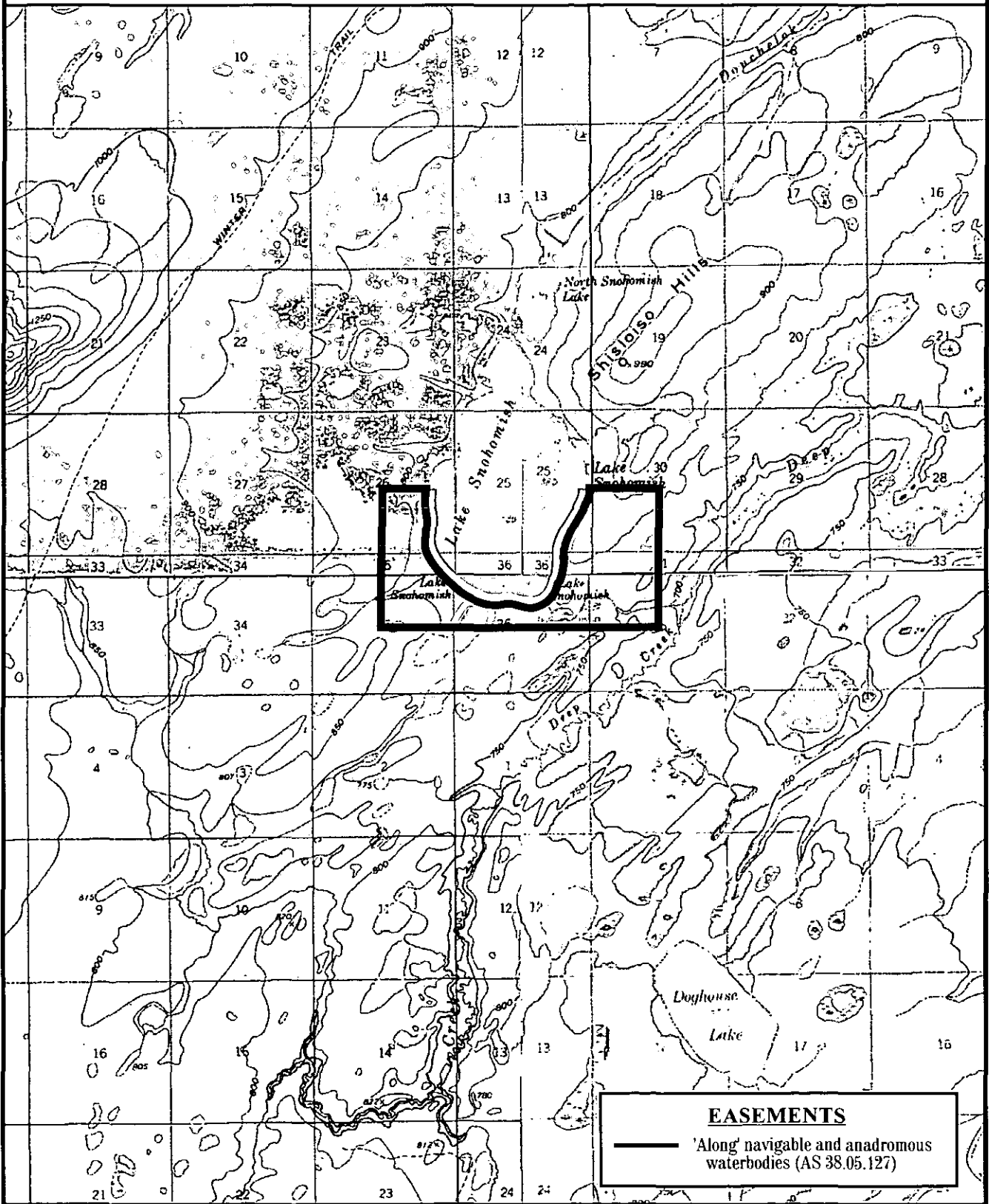
Prepared by: DNR
Source USGS, Big Delta D-6, Fairbanks D-1
Date: 12/2004

one mile

Meridian FM Township 1N Range 4E

Lake Snohomish

N1.LS.1001

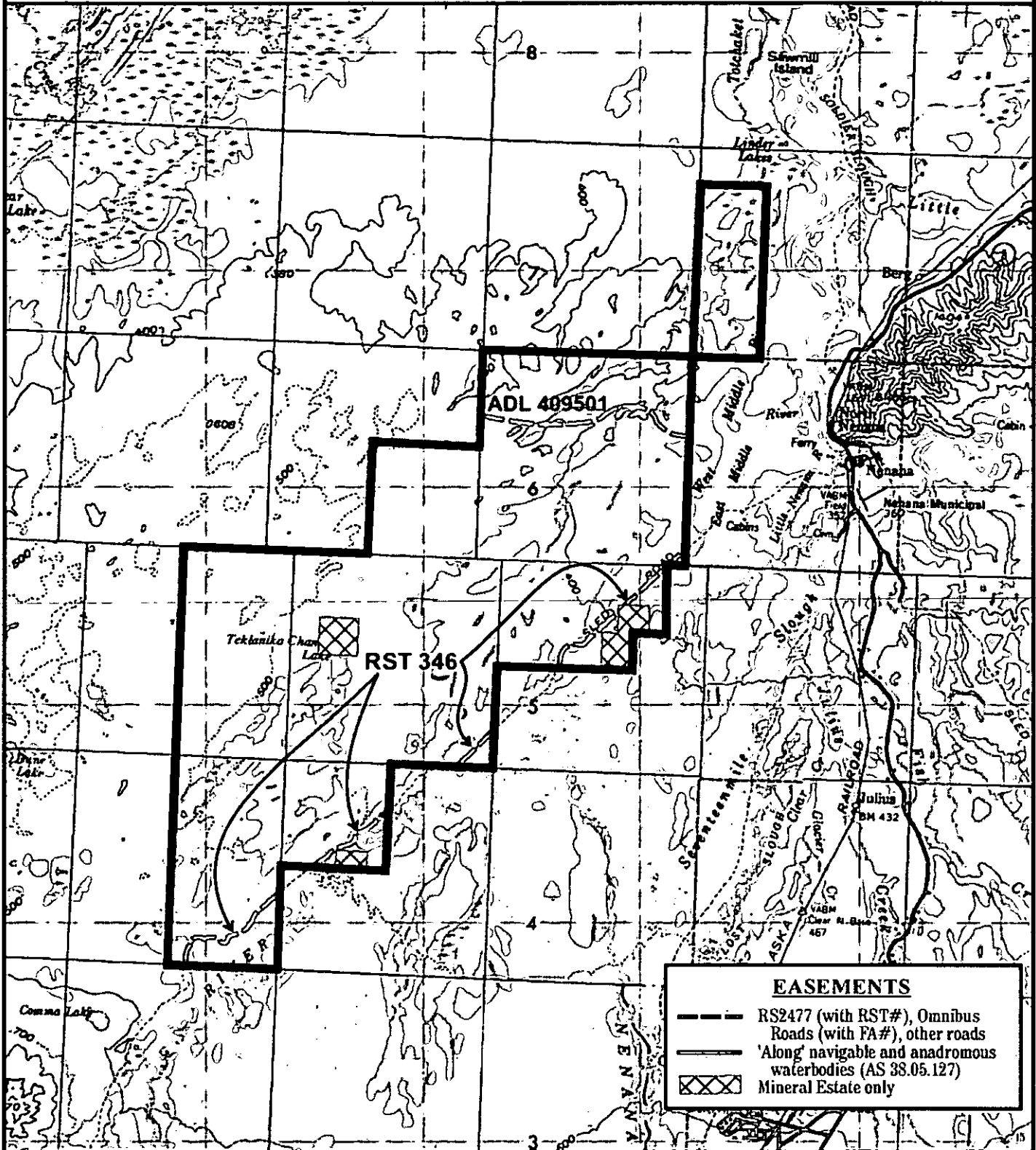


Prepared by: DNR
Source USGS, Mt. McKinley D-5,
D-6, C-5, C-6 Date: 12/2004




— one mile —

Meridian Township Range
FM 13S R25W-26W

Nenana Oil & Gas Tract

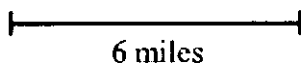


EASEMENTS

-  RS2477 (with RST#), Omnibus Roads (with FA#), other roads
-  'Along' navigable and anadromous waterbodies (AS 38.05.127)
-  Mineral Estate only

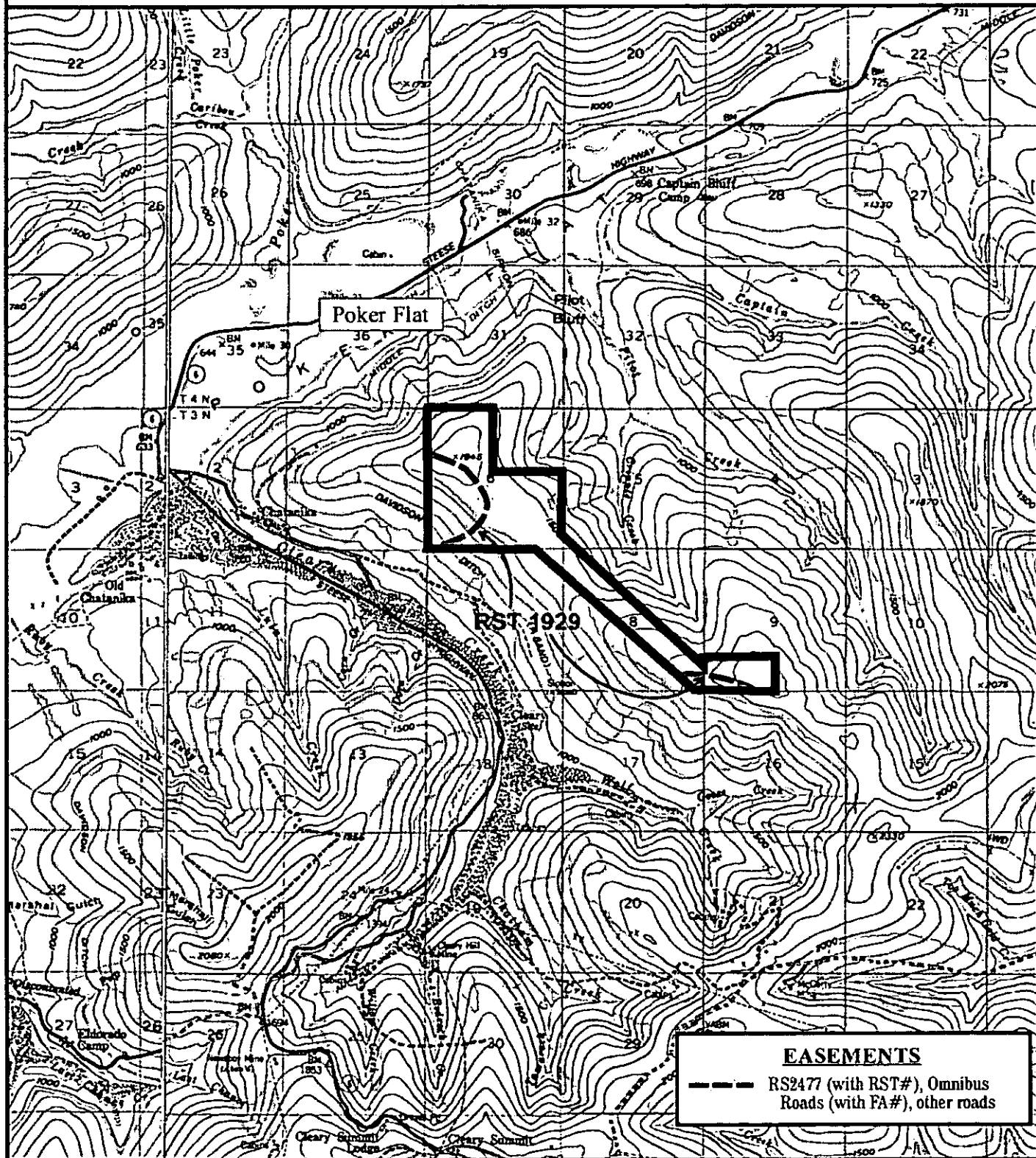
Prepared by: DNR
 Source USGS, Fairbanks B-5 B-6, C-5, C-6
 Date: 12/2004

Meridian	Township	Range
FM	3, 4, 5, 6S	8, 9, 10, 11E

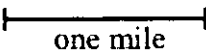


Poker Flat Lease

MA.PF.1001



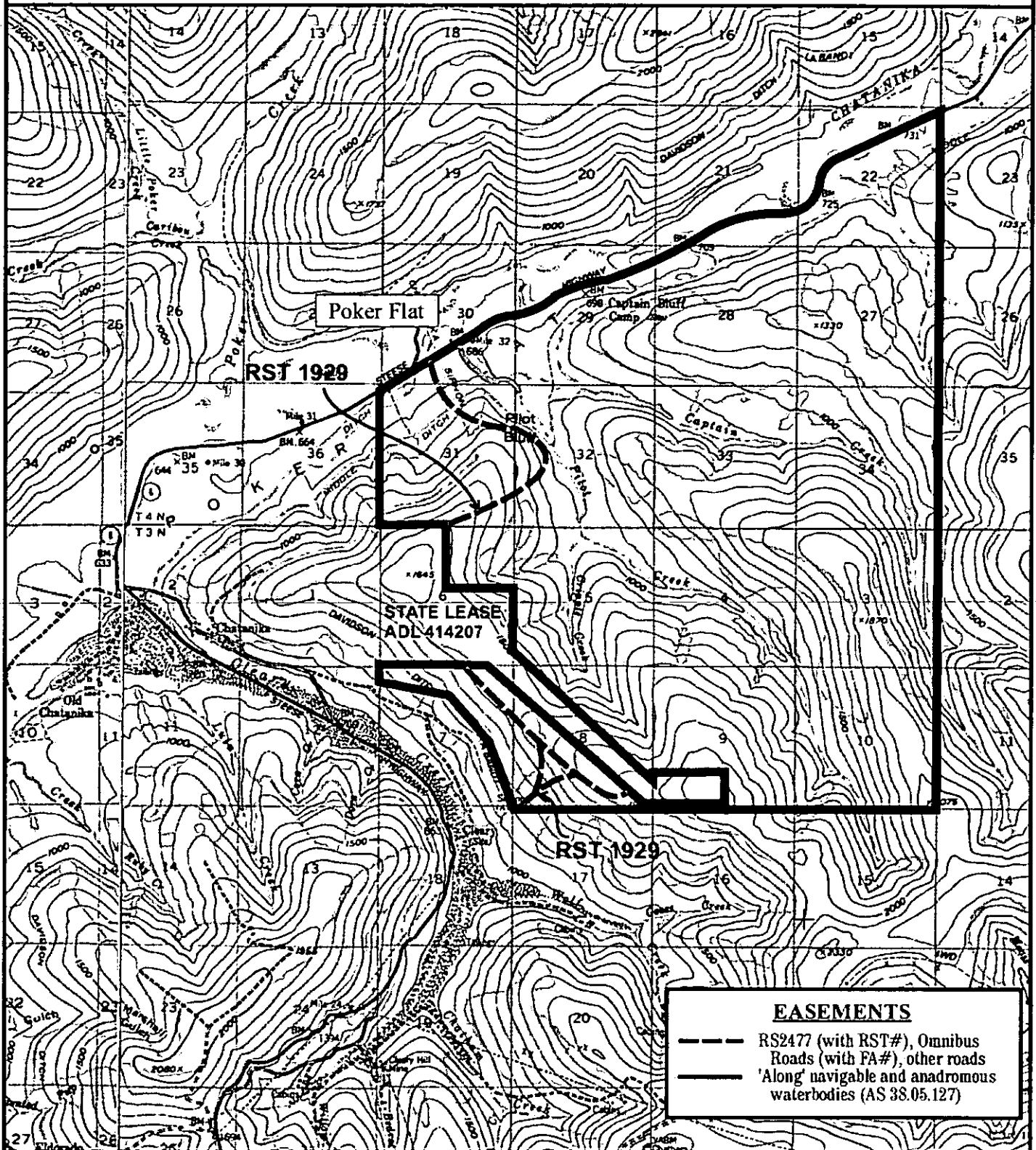
Prepared by: DNR
Source USGS, Livengood A-1
Date: 12/2004



Meridian Township Range
FM 3N 2E

Poker Flat (SUA)

MA.PF.1002



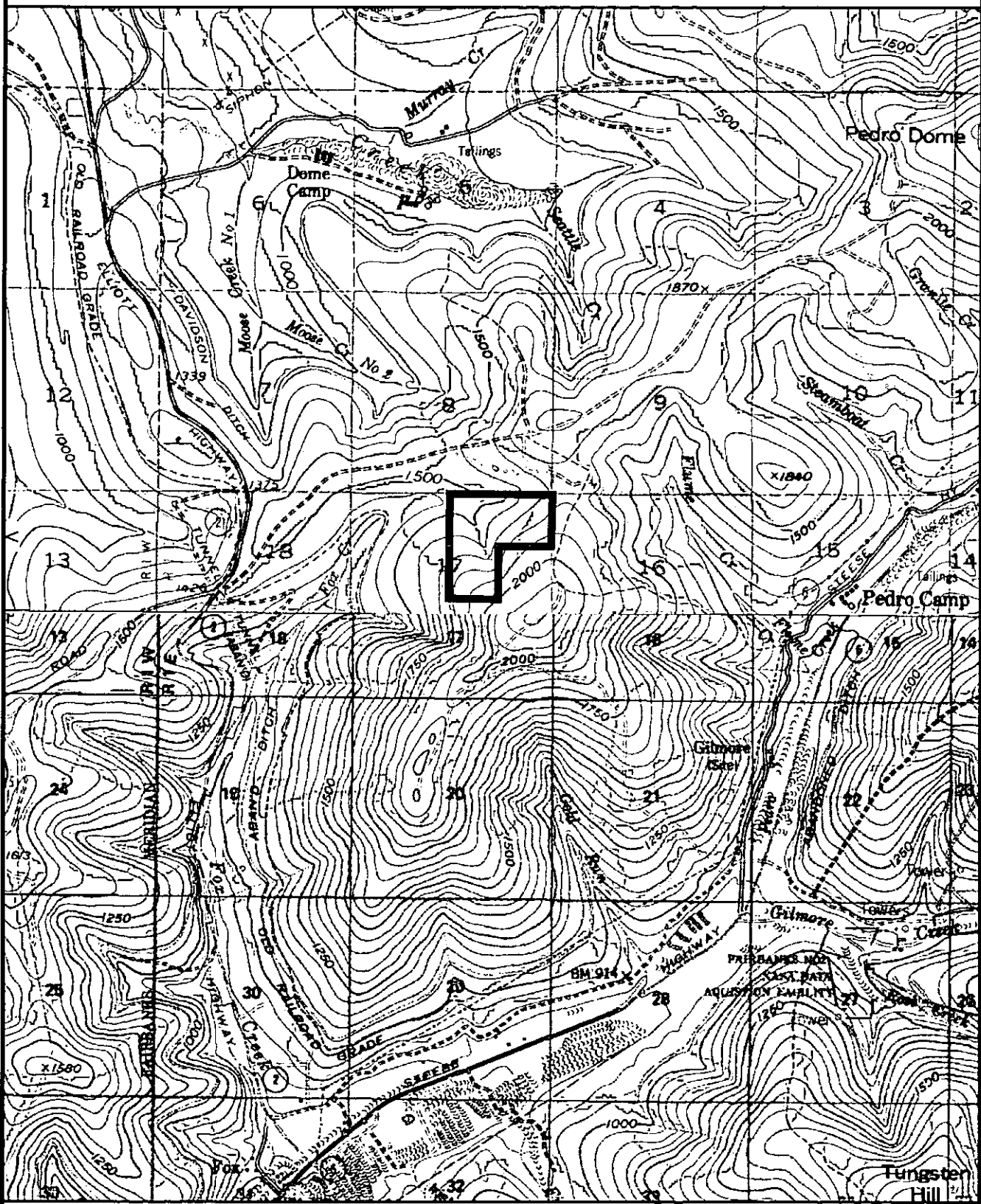
Prepared by: DNR
Source USGS, Livengood A-1
Date: 12/2004

— one mile —

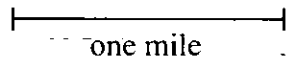
Meridian	Township	Range
FM	3-4N	2E

Silver Fox Mine

MA.SF.1001



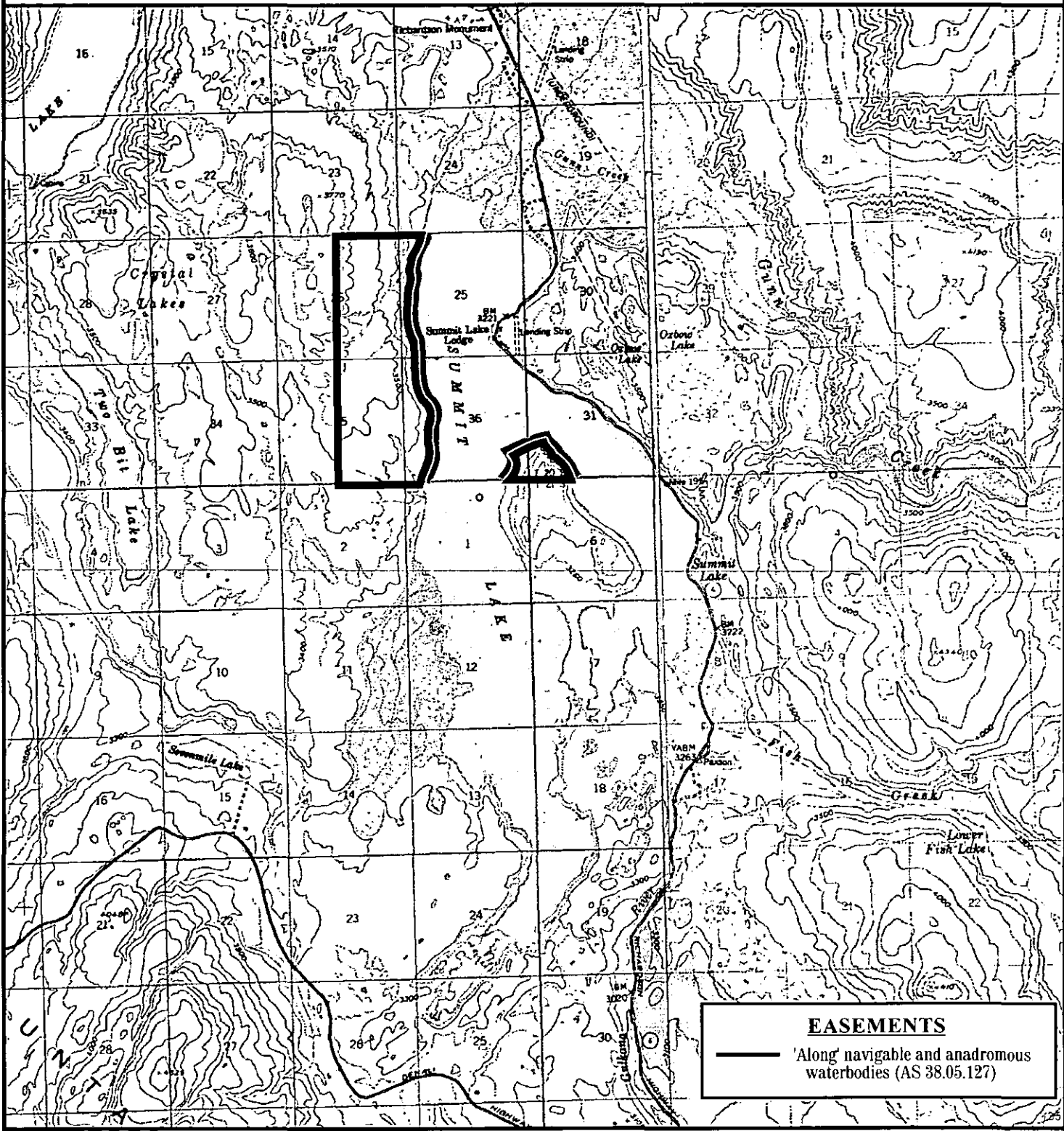
Prepared by: DNR/rhc
 Source USGS, Livengood A-2
 Date: 12/2004



Meridian	Township	Range
FM	2N	R1E

Summit Lake

N5.RS.1001



EASEMENTS
 — Along navigable and anadromous waterbodies (AS 38.05.127)

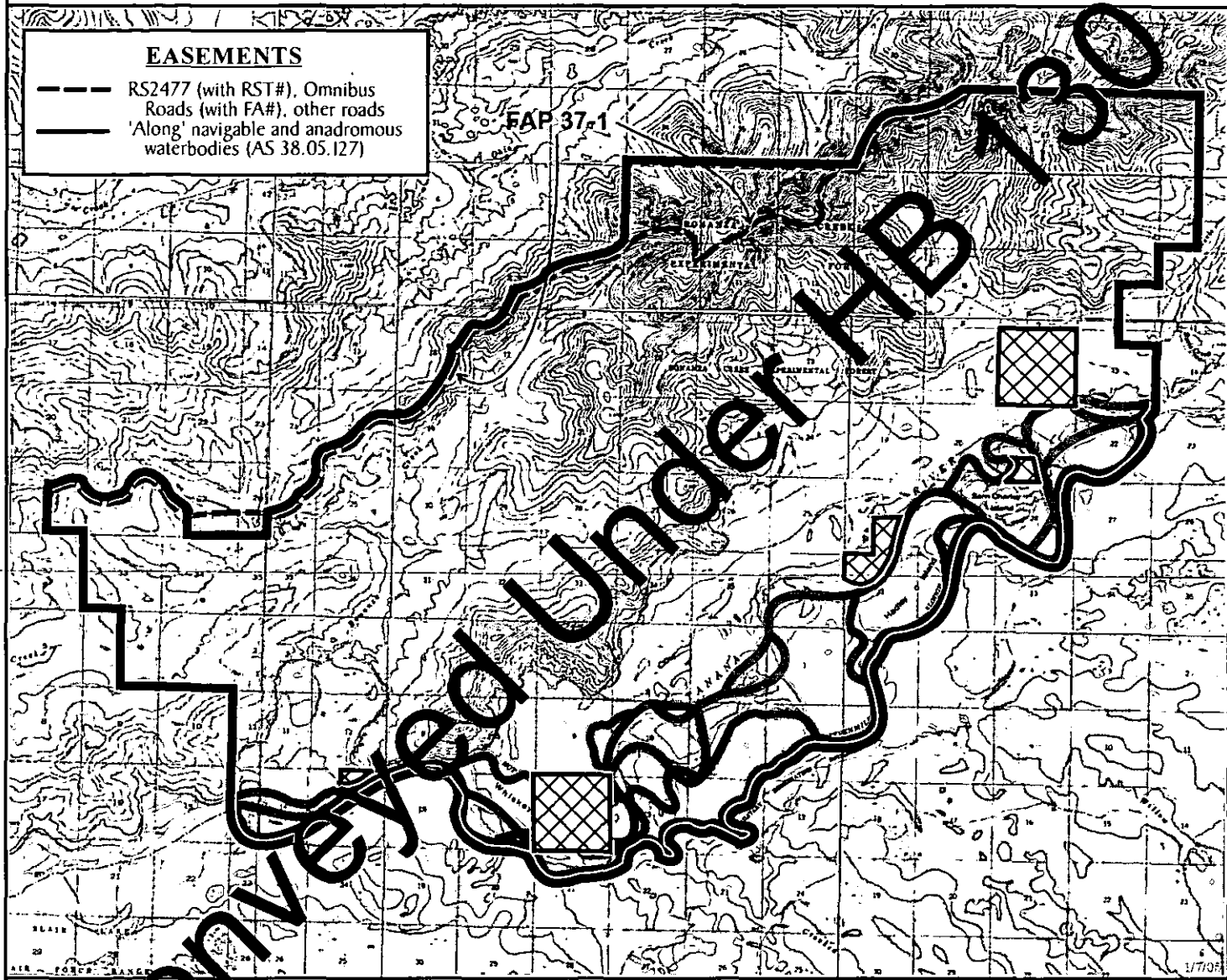
Prepared by: DNR
 Source USGS, Mt. Hayes, A-3, A-4
 Date: 12/2004

— one mile —

Meridian FM Township 20S-21S Range 11E-12E


University Research Forest

NS.EX.1002



Prepared by DNR; rhc
Source USGS Fairbanks C-3, D-3, D-4
Date 12/2004

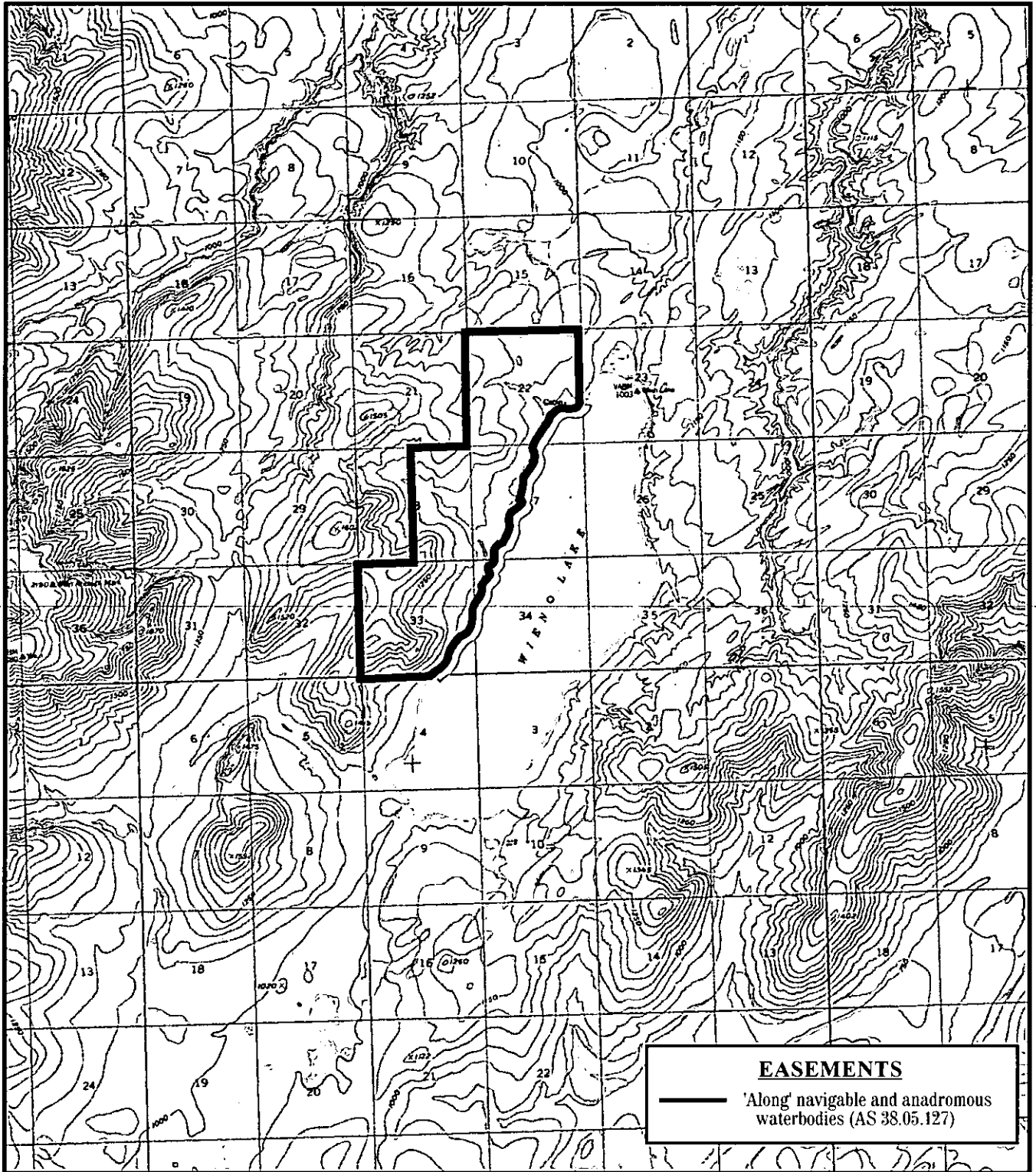
—|—|—|
one mile

 Excluded Lands

Meridian	Township	Range
FM	1-3S	3W-5W

Wien Lake

N5.WL.1001



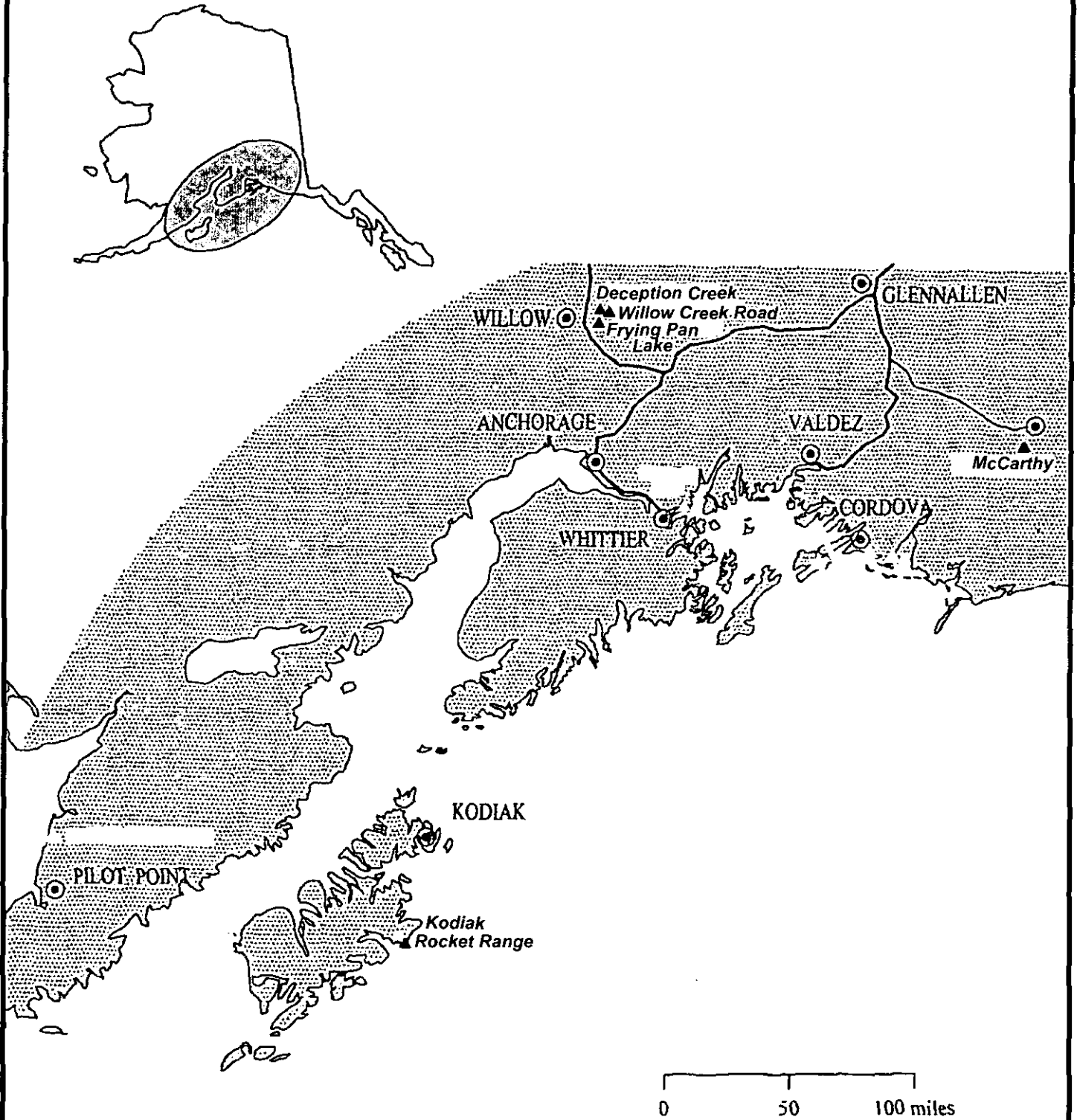
Prepared by: DNR
Source USGS, Kantishna River B-3
Date: 12/2004

— one mile —

Meridian Township Range
FM 6S-7S 19W

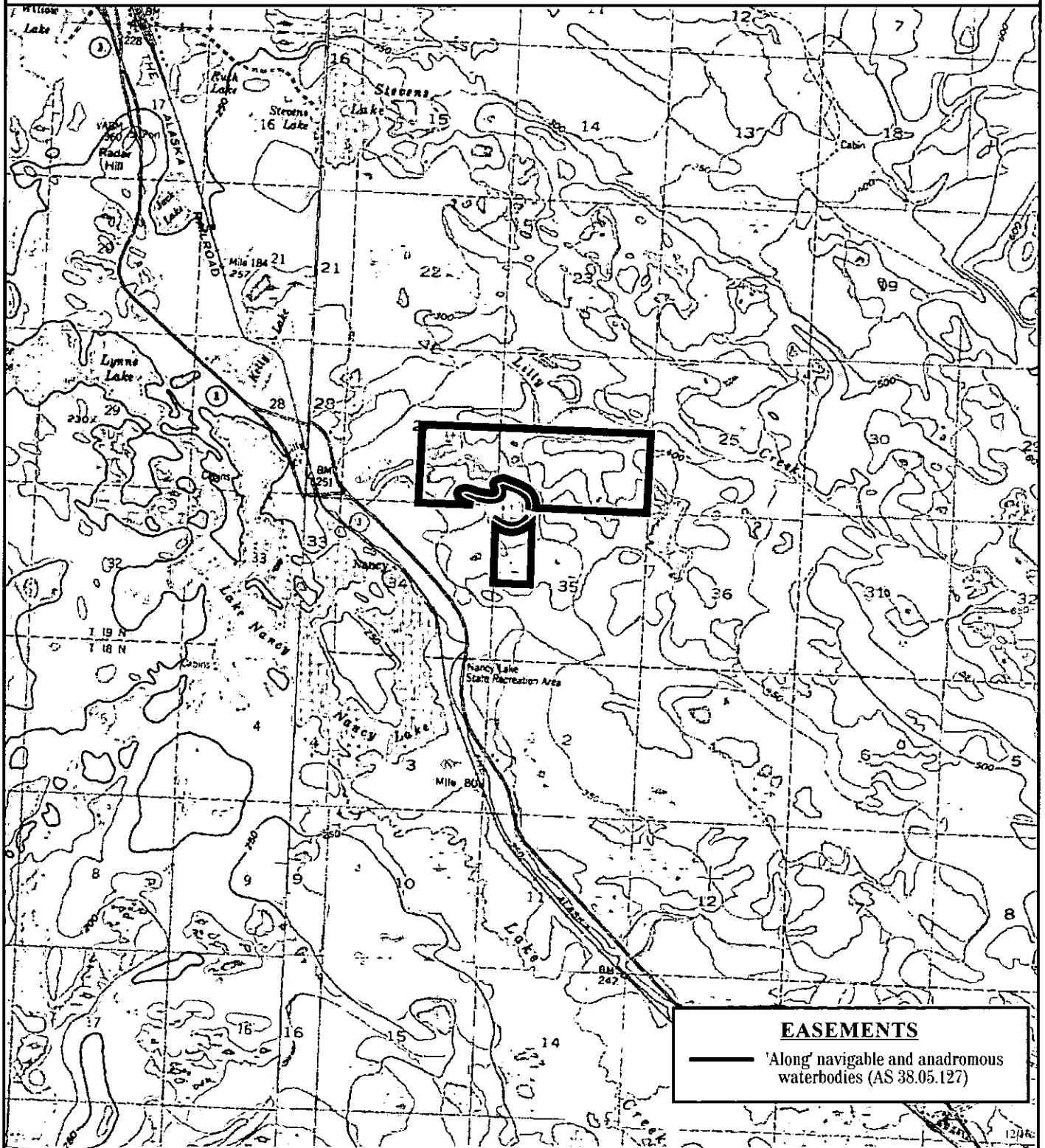
SOUTH CENTRAL
MAPS

SOUTHCENTRAL REGION



Frying Pan Lake

SU.FP.1001



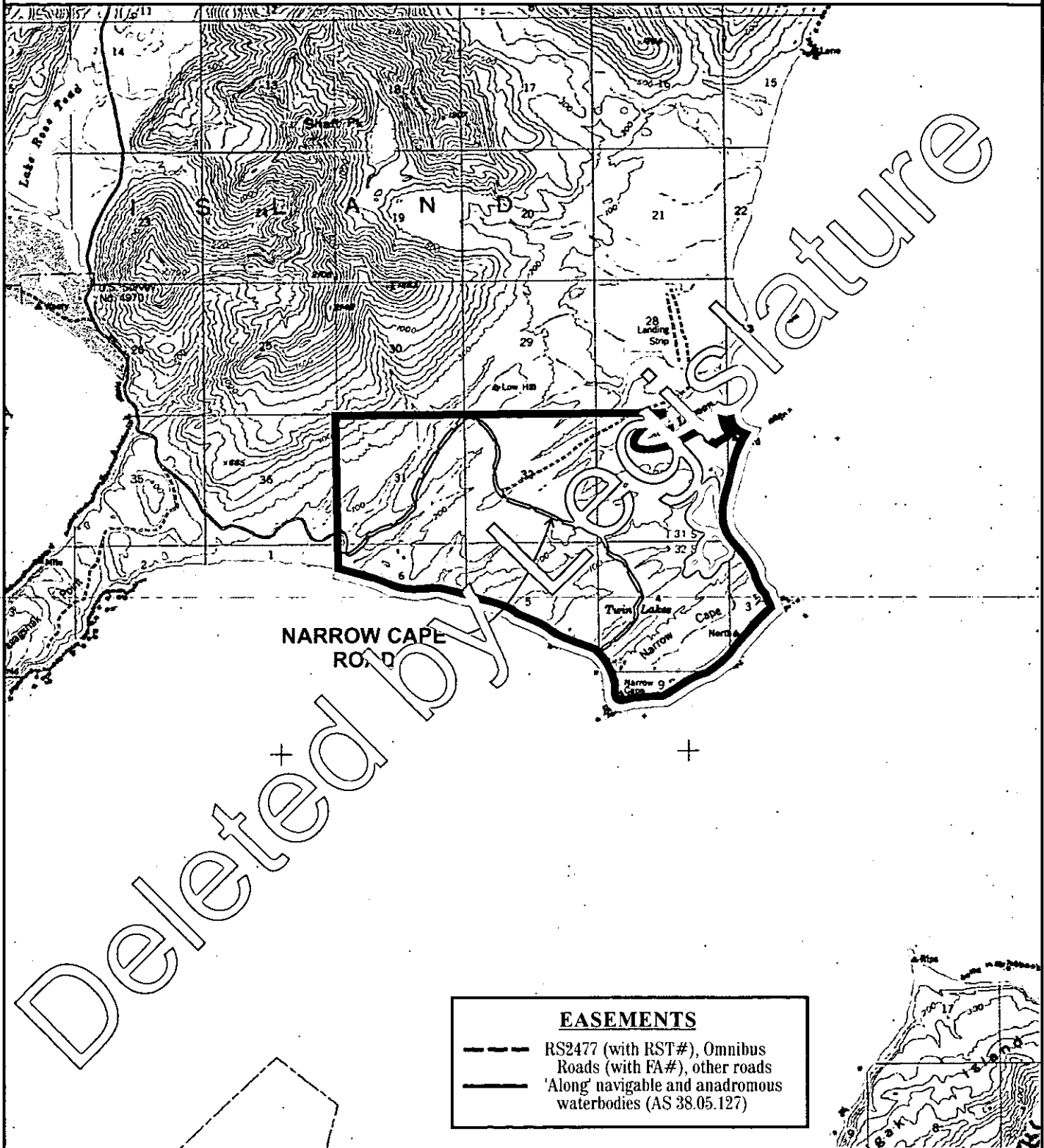
Prepared by: DNR
Source USGS Anchorage C-8, D-8
Date: 12/2004

— one mile —

Meridian Township Range
CRM 19N 4W

Kodiak Rocket Range

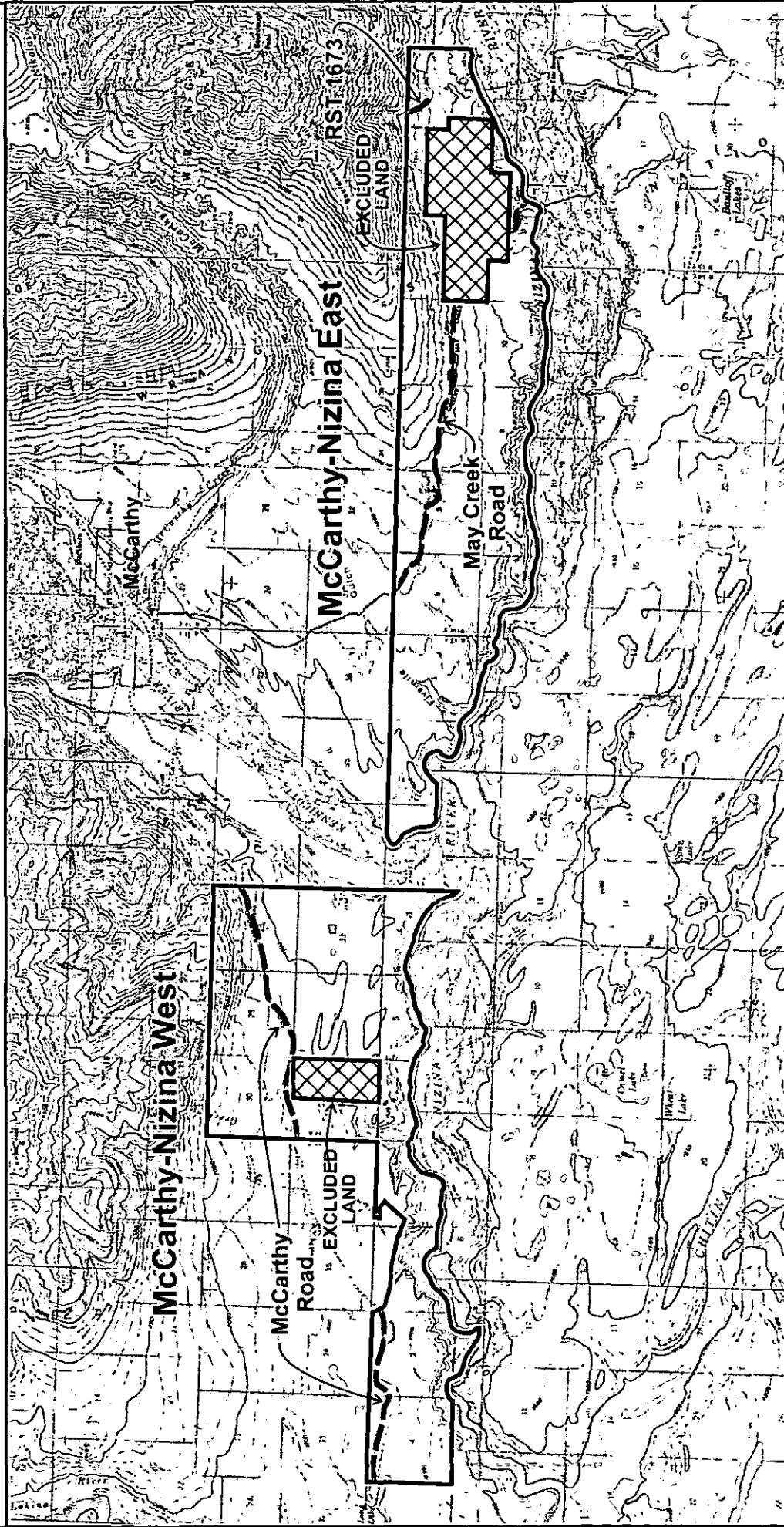
MA.KR.1001



Prepared by: DNR
Source USGS Kodiak B-1, B-2
Date: 12/2004

McCarthy-Nizina, East & West

MA.MC.1001



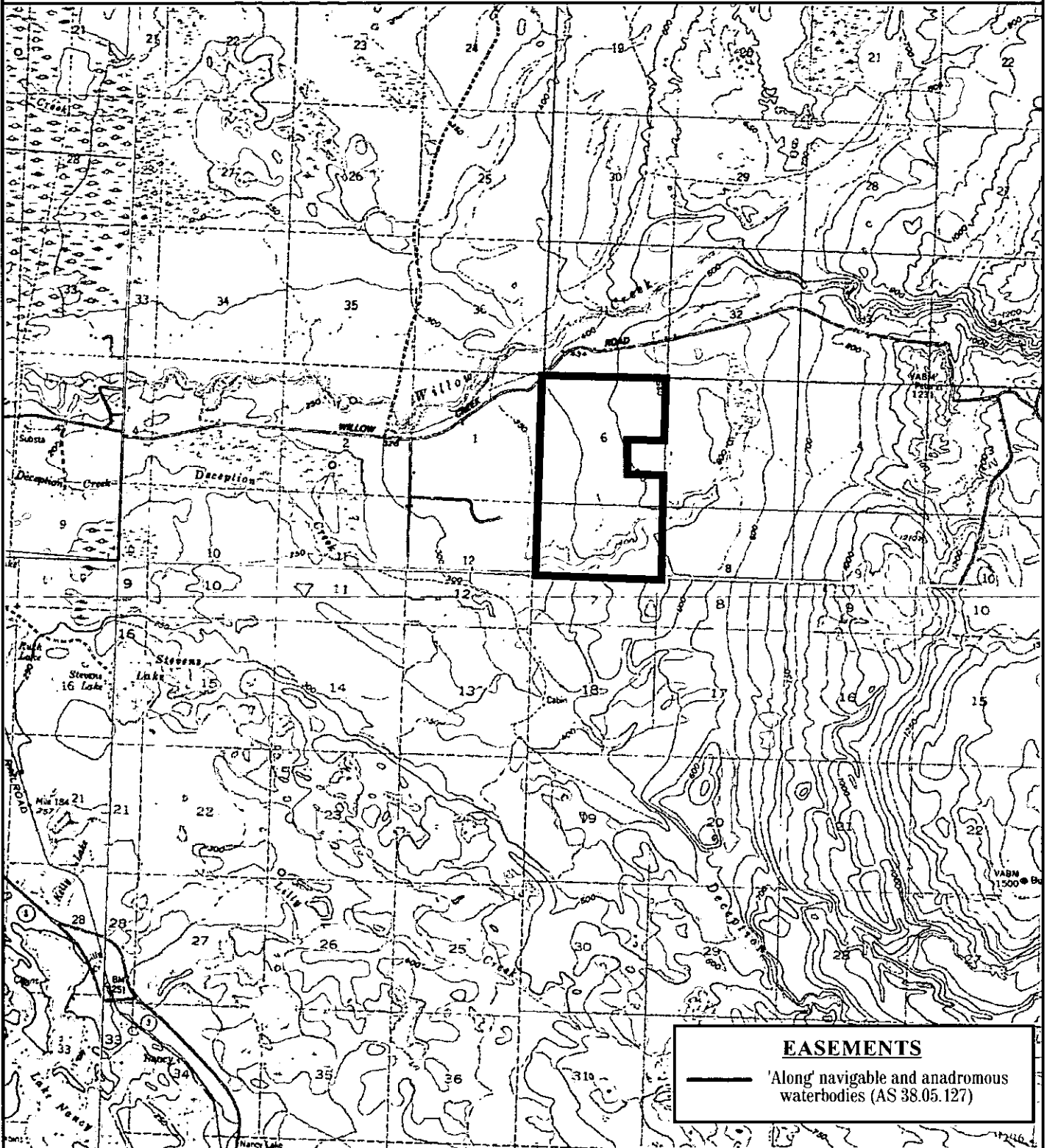
Prepared by: DNR
Source USGS McCarthy C-5, C-6
Date: 12/2004

one mile

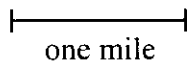
Meridian CRM
Township 5-6S
Range 13, 14, 15E

Willow Creek Road

SU.WC.1001



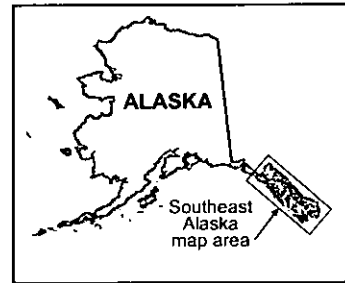
Prepared by: DNR
Source USGS Anchorage C-8, D-8,
Tyonek C-1, D-1
Date: 12/2004



Meridian	Township	Range
SM	19N	3W

SOUTHEAST
MAPS

SOUTHEAST REGION



HAINES

William Henry Bay
Chilkoot
Ivanhoe

JUNEAU

Auke Weir
Lynn Canal
Sumdum
Lena Creek

NORTHERN SOUTHEAST

Excursion Inlet
Pelican
Tenakee Springs
Idaho Inlet
Mite Cove

SITKA

Middle Island
Sitka Campus
Biorka Island
Warm Springs Bay
Port Conclusion
Port Alexander
Lisianski Peninsula

KUIU ISLAND

Rowan Bay

PRINCE OF WALES ISLAND

Coffman Cove
Edna Bay
El Capitan North, South
Hollis
Harris Road Junction
Hook Arm
Moir Sound/Nowiskay Cove
Naukati Sound
Port Delores
Thorne Bay

KETCHIKAN

Duke Island
Kelp Island
Leask Cove
Moser Bay
Ward Cove
Cleveland Peninsula
Neets Creek

PETERSBURG

Beecher Pass
Favor Peak
Three Lake Road
Read Island
Whitney Island

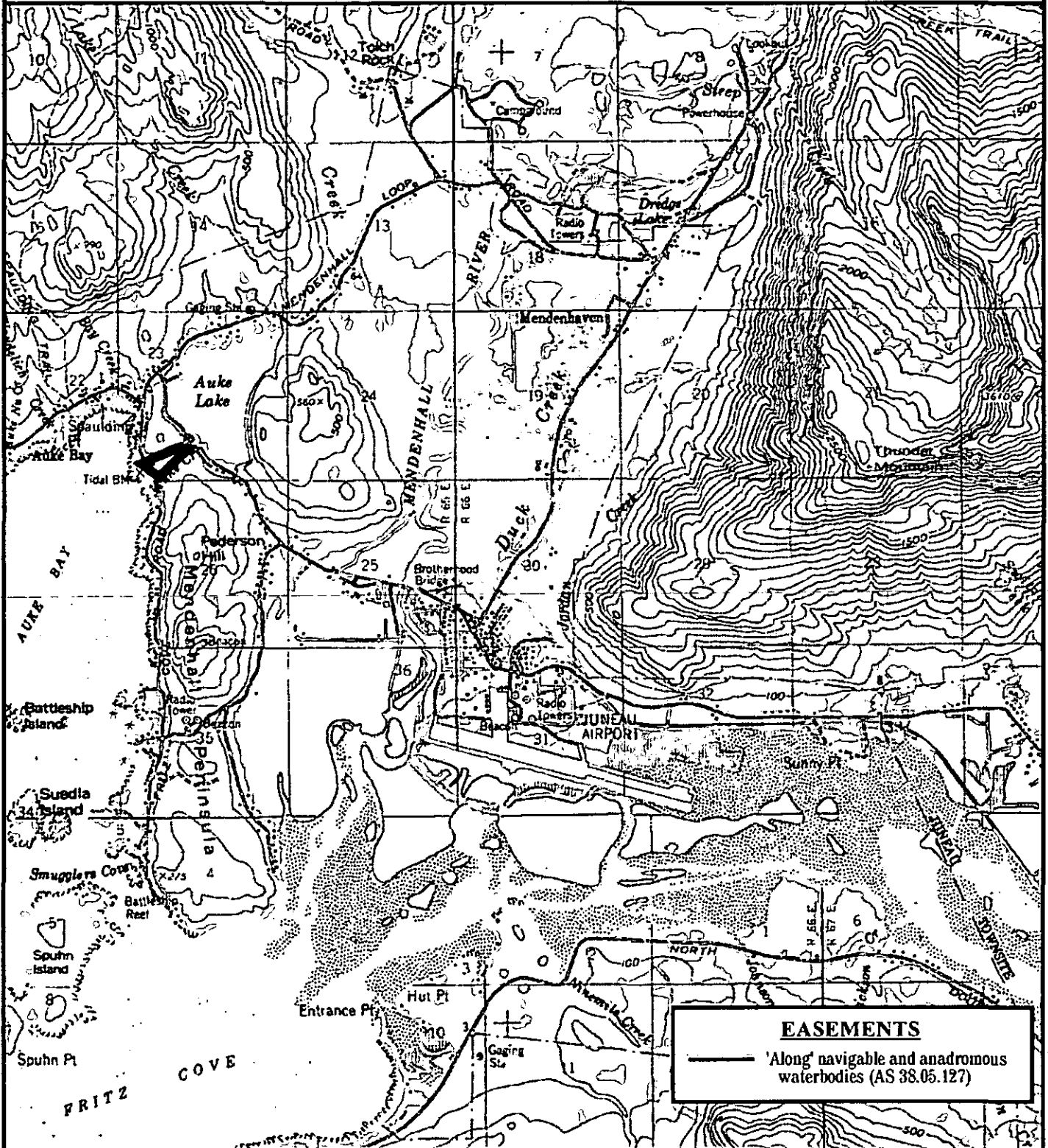
WRANGELL

Earl West Cove
Olive Cove
Thoms Place

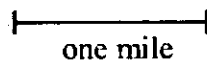
0 25 50
SCALE IN MILES

Auke Weir

JU.AU.1001



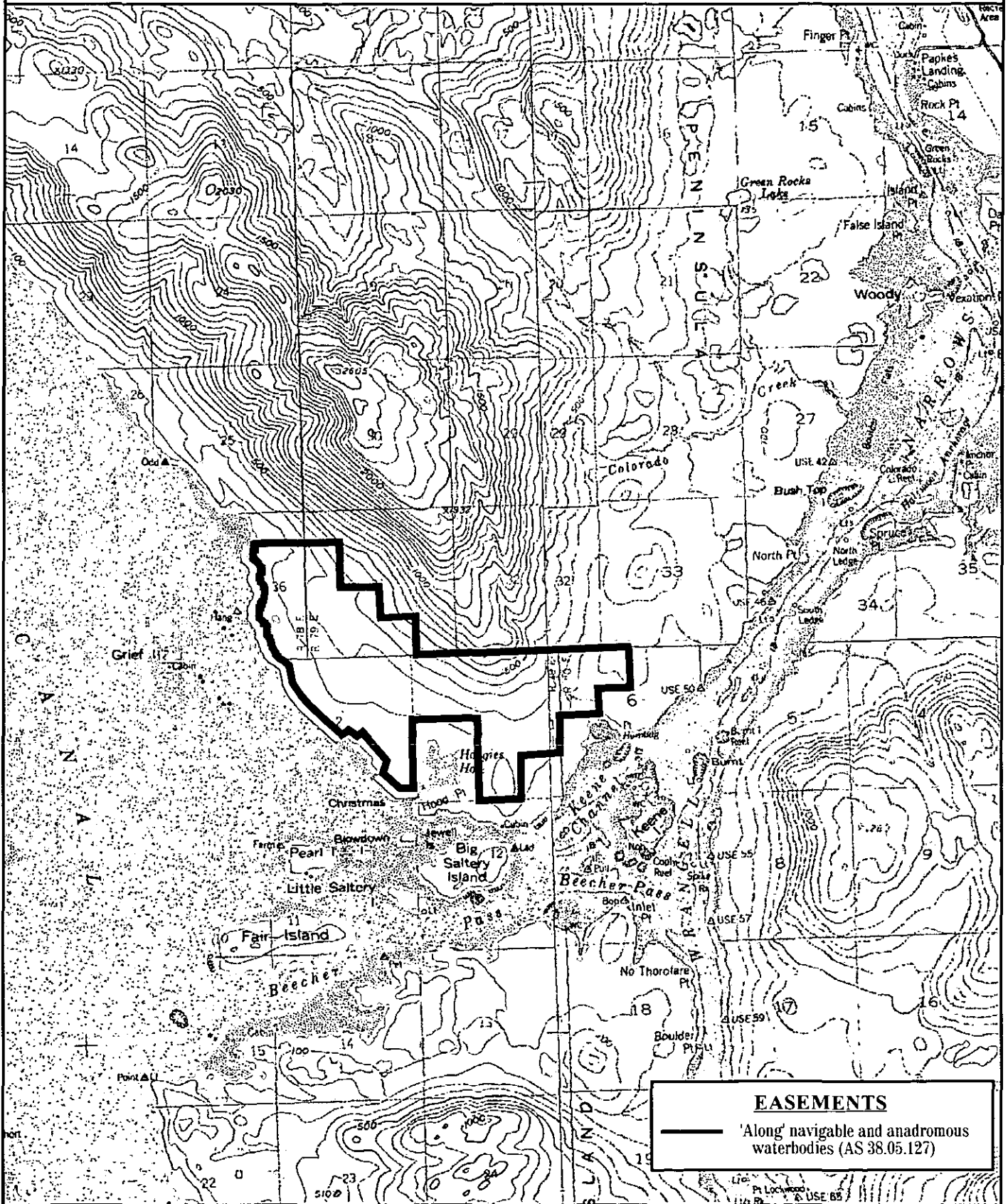
Prepared by: DNR
 Source USGS Juneau B-2
 Date: 12/2004



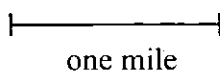
Meridian	Township	Range
CRM	40S	65E

Beecher Pass

SD.1001



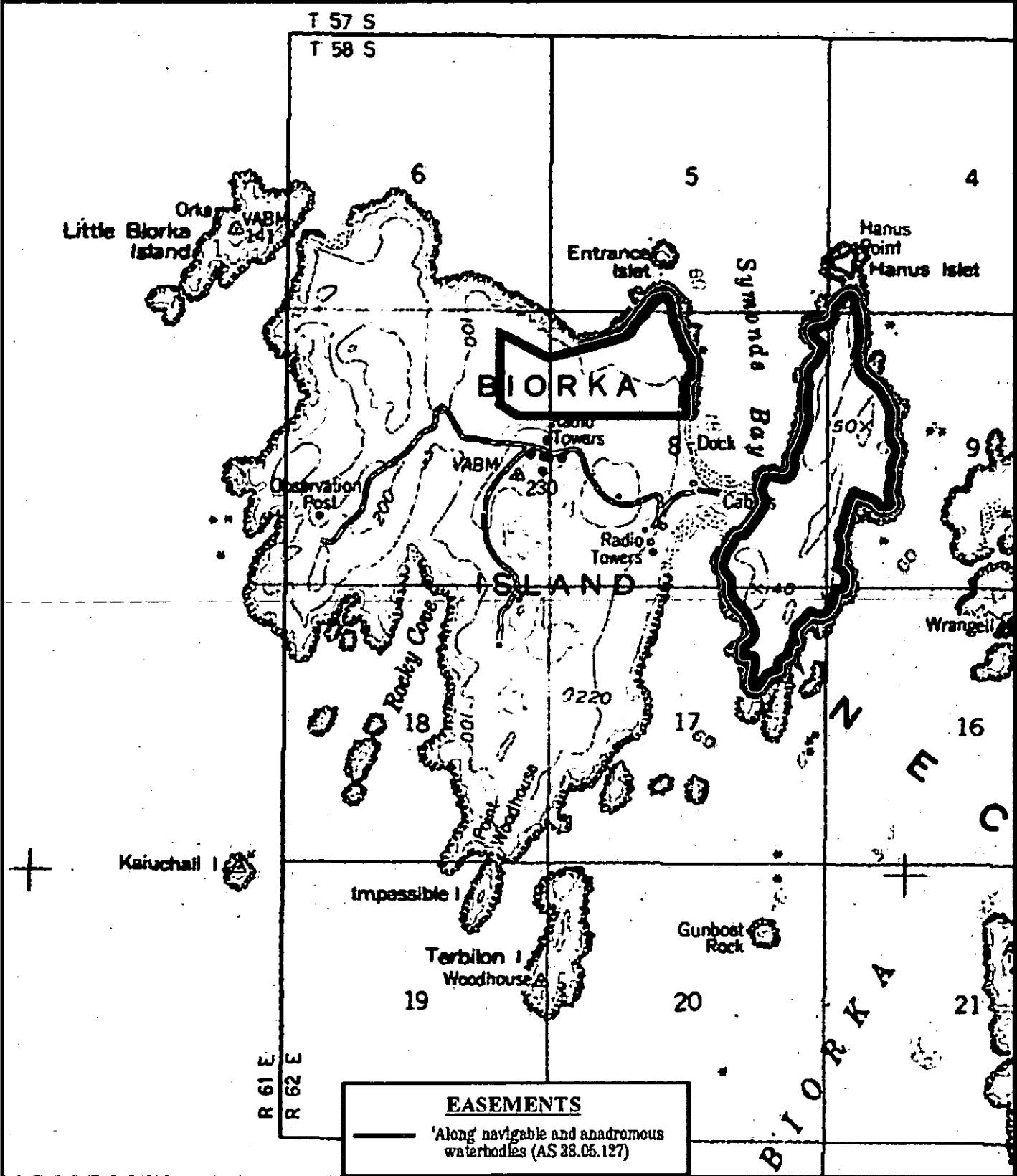
Prepared by: DNR
Source USGS Petersburg C-3, C-4
Date: 12/2004



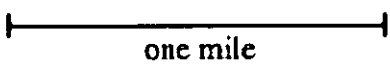
Meridian	Township	Range
CRM	60-61S	79-80E

Biorka Island

PA.1002



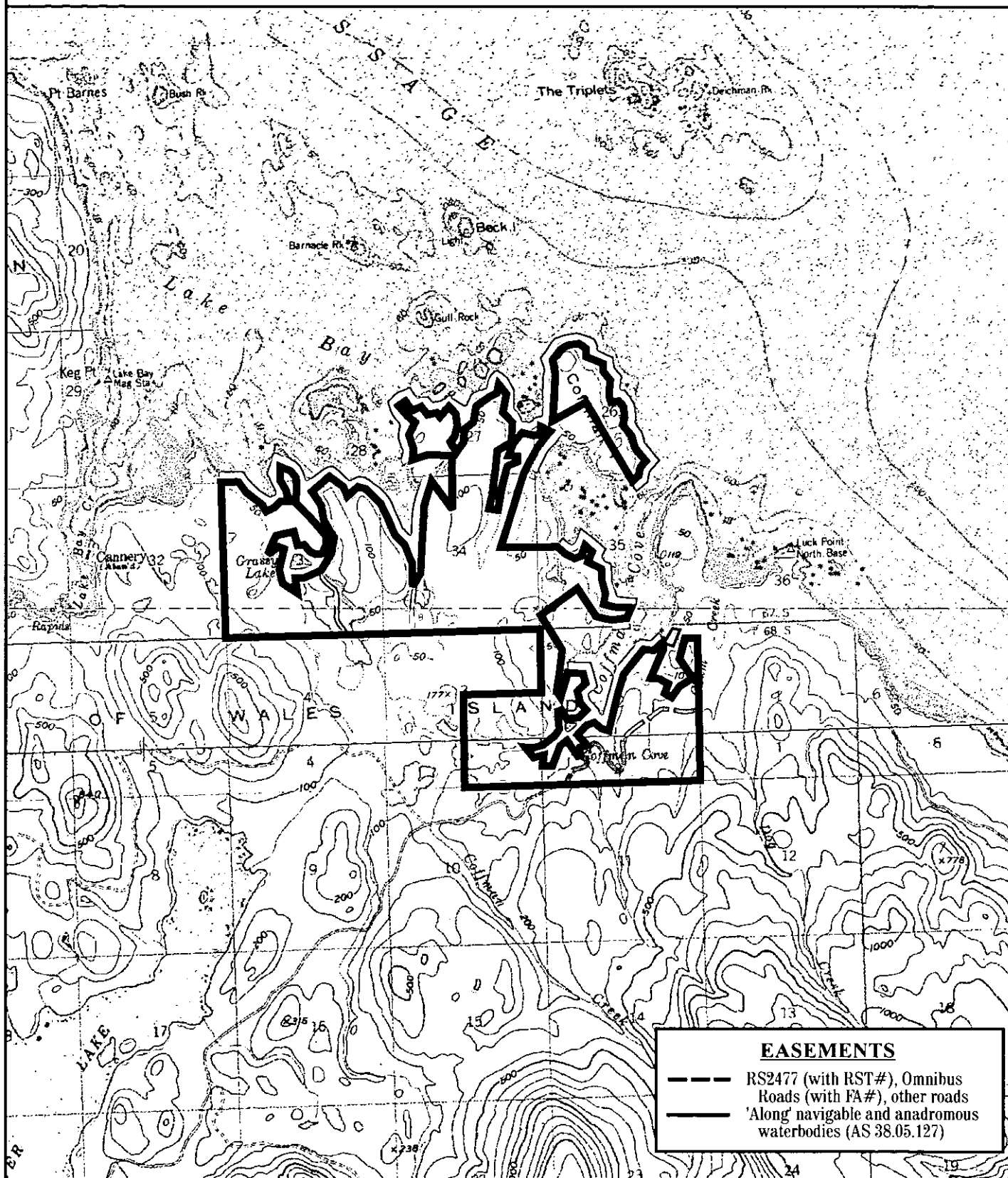
Prepared by: DNR
Source USGS Port Alexander D-5
Date: 12/2004



Meridian	Township	Range
CRM	58S	63E

Coffman Cove

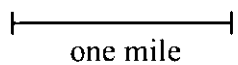
PW.CC.1001



EASEMENTS

- RS2477 (with RST#), Omnibus Roads (with FA#), other roads
- 'Along' navigable and anadromous waterbodies (AS 38.05.127)

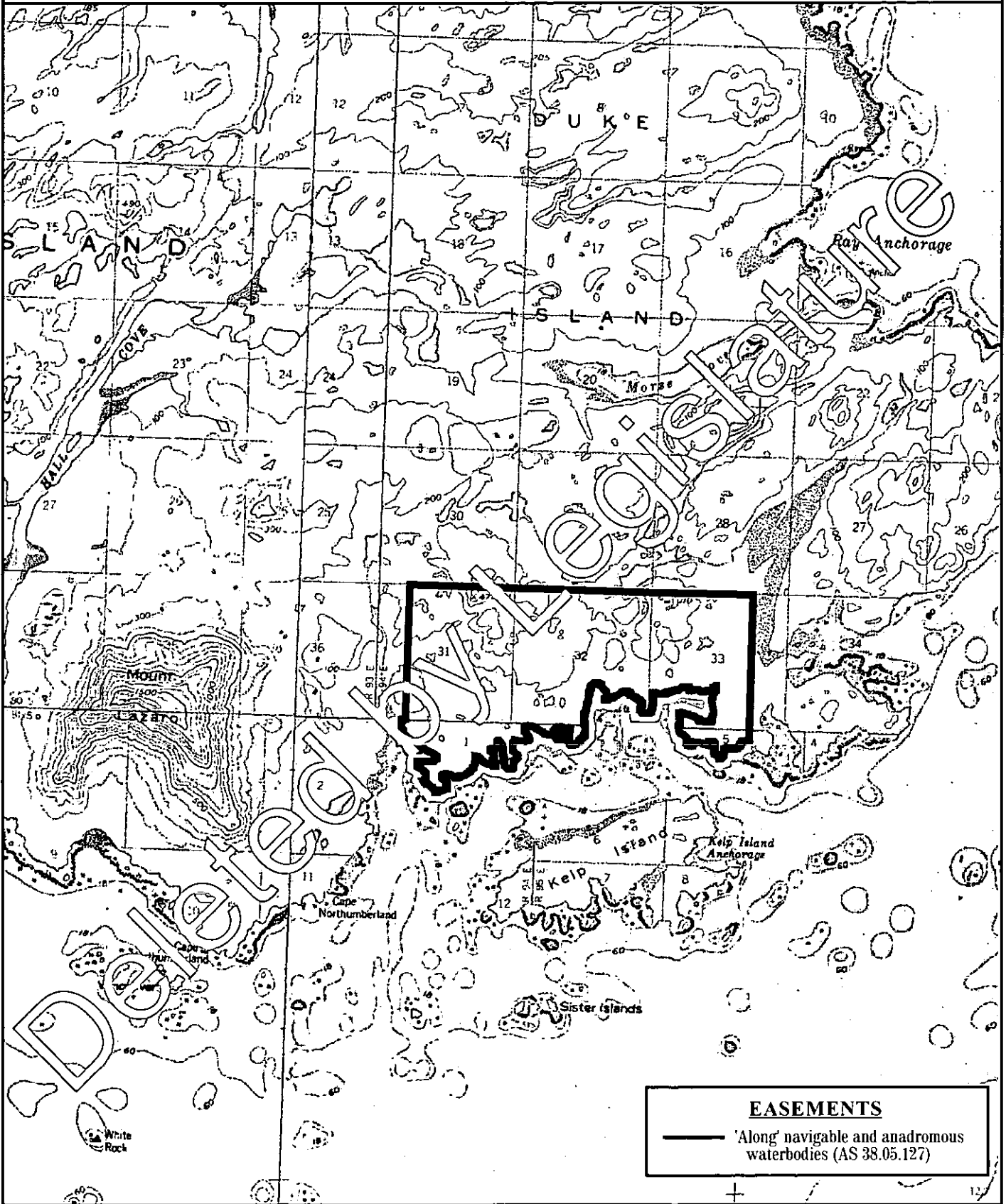
Prepared by: DNR; rhc
 Source USGS Petersburg A-3, Craig D-3
 Date: 12/2004



Meridian	Township	Range
CRM	67 & 68S	81E

Duke Island

SD.1001



EASEMENTS
— 'Along' navigable and anadromous waterbodies (AS 38.05.127)

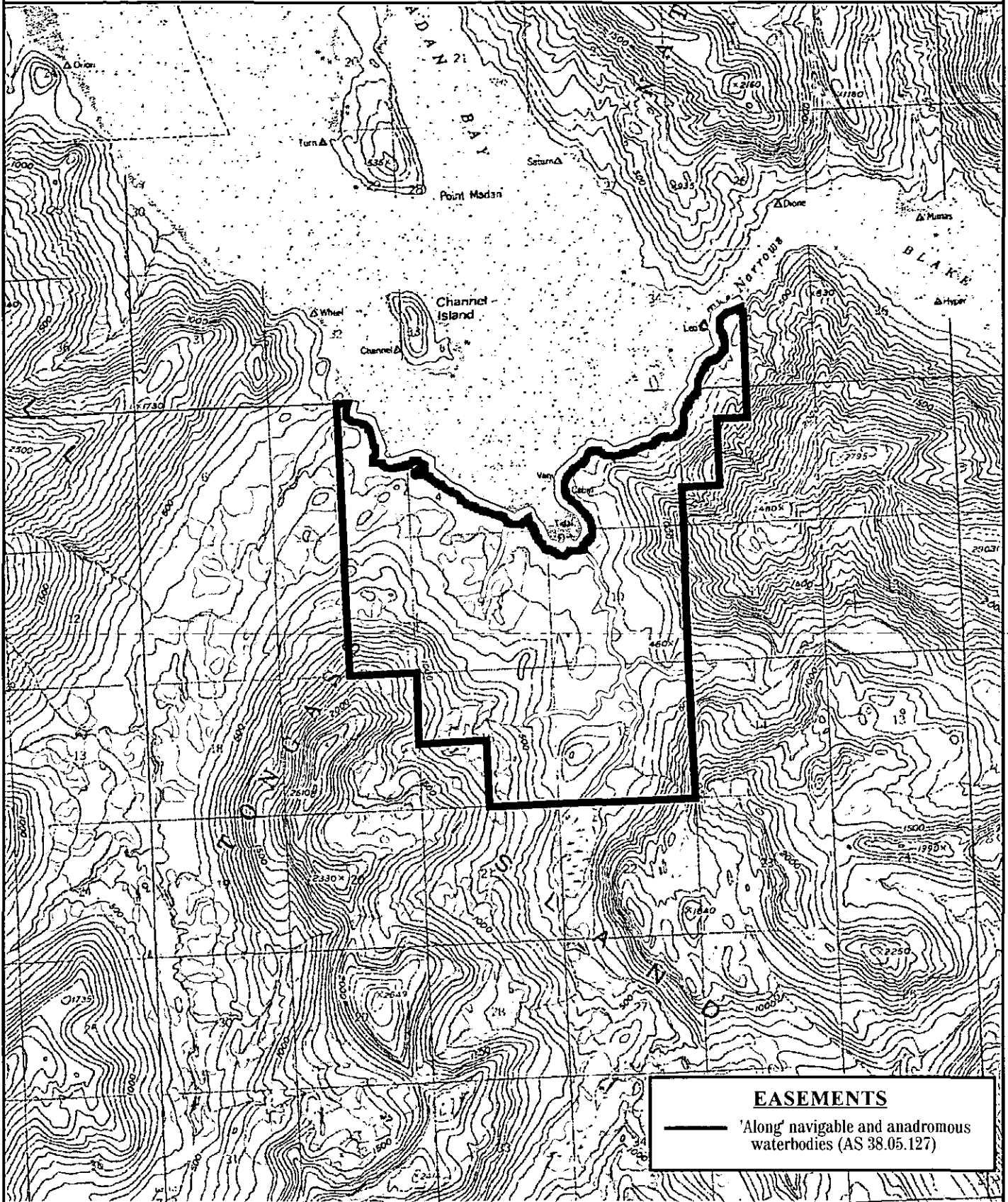
Prepared by: DNR
Source USGS Prince Rupert D-4
Date: 12/2004

— one mile —

Meridian	Township	Range
CRM	80 & 81S	94E

Earl West Cove

PT.1004



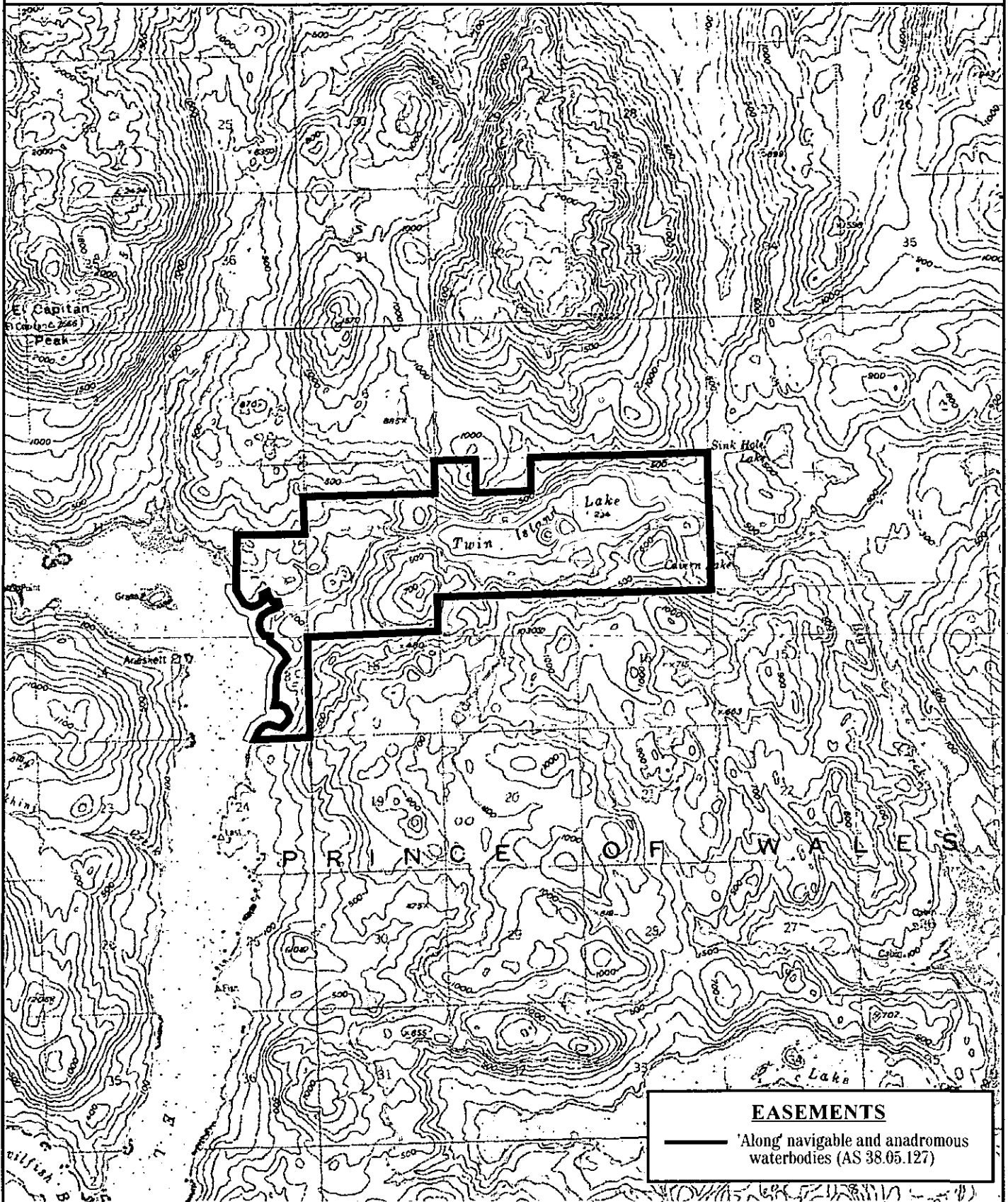
Prepared by: DNR
Source USGS Petersburg B-1
Date: 12/2004

— one mile —

Meridian	Township	Range
CRM	63-64S	85E

El Capitan North

PW.EC.1001



EASEMENTS
— Along navigable and anadromous waterbodies (AS 38.05.127)

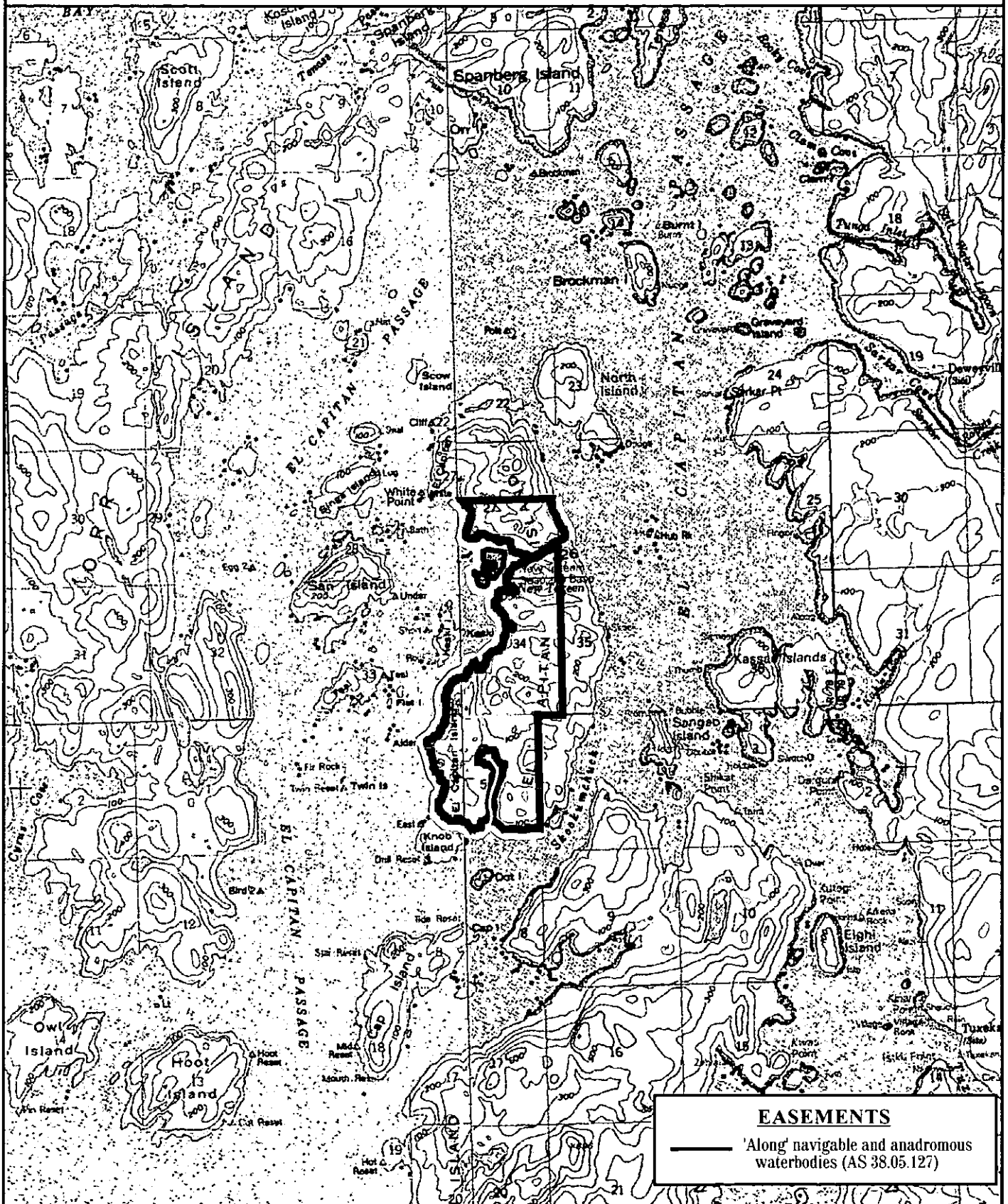
Prepared by: DNR
Source USGS Petersburg A-4
Date: 12/2004

— one mile —

Meridian	Township	Range
CRM	66S	78 & 79E

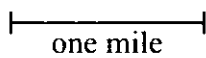
El Capitan South

PW.EC.1001



EASEMENTS
 ——— Along navigable and anadromous waterbodies (AS 38.05.127)

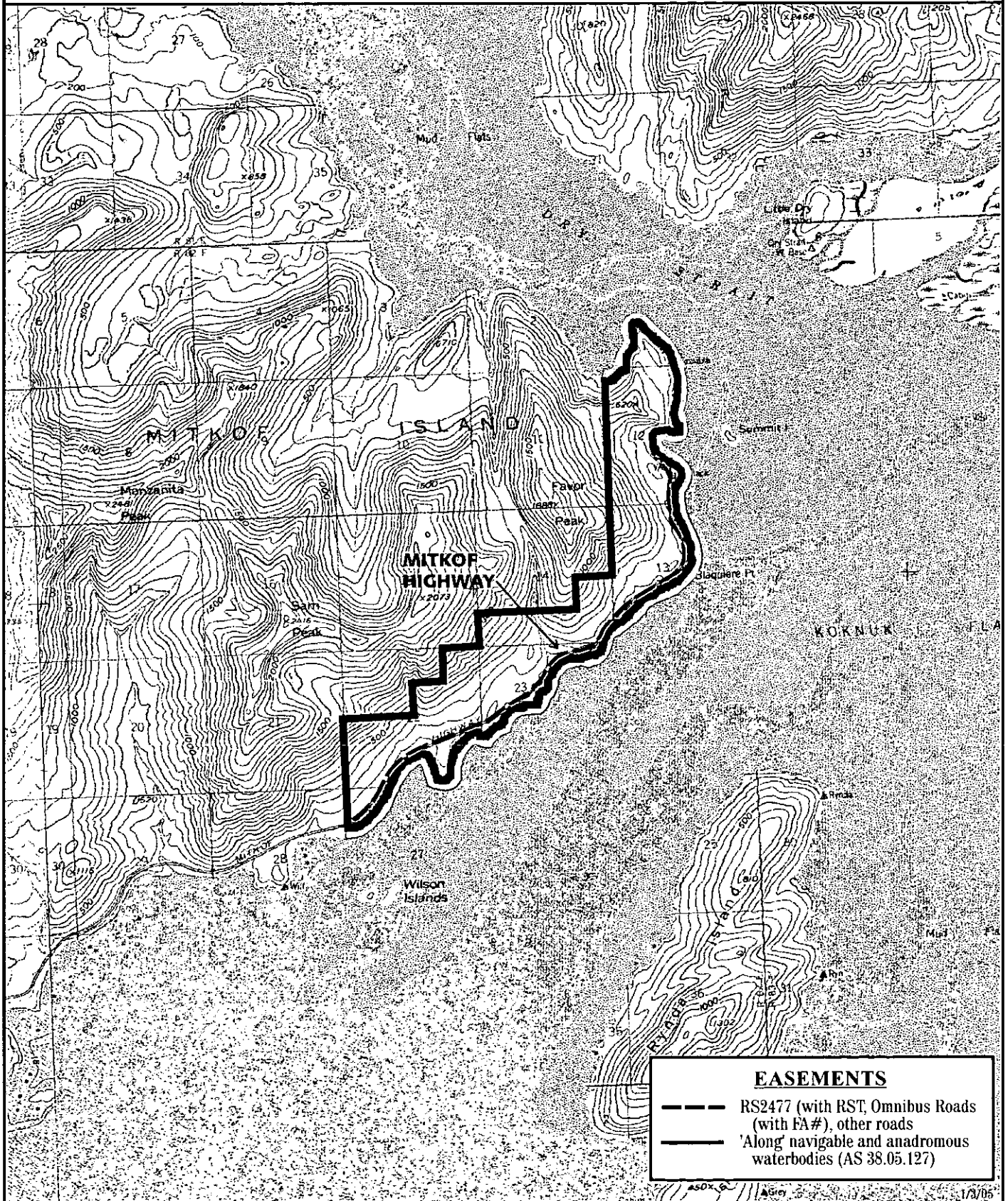
Prepared by: DNR
 Source USGS Craig D-4, D-5
 Date: 12/2004



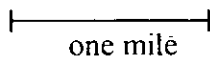
Meridian	Township	Range
CRM	68S	78E

Favor Peak

SD.1001



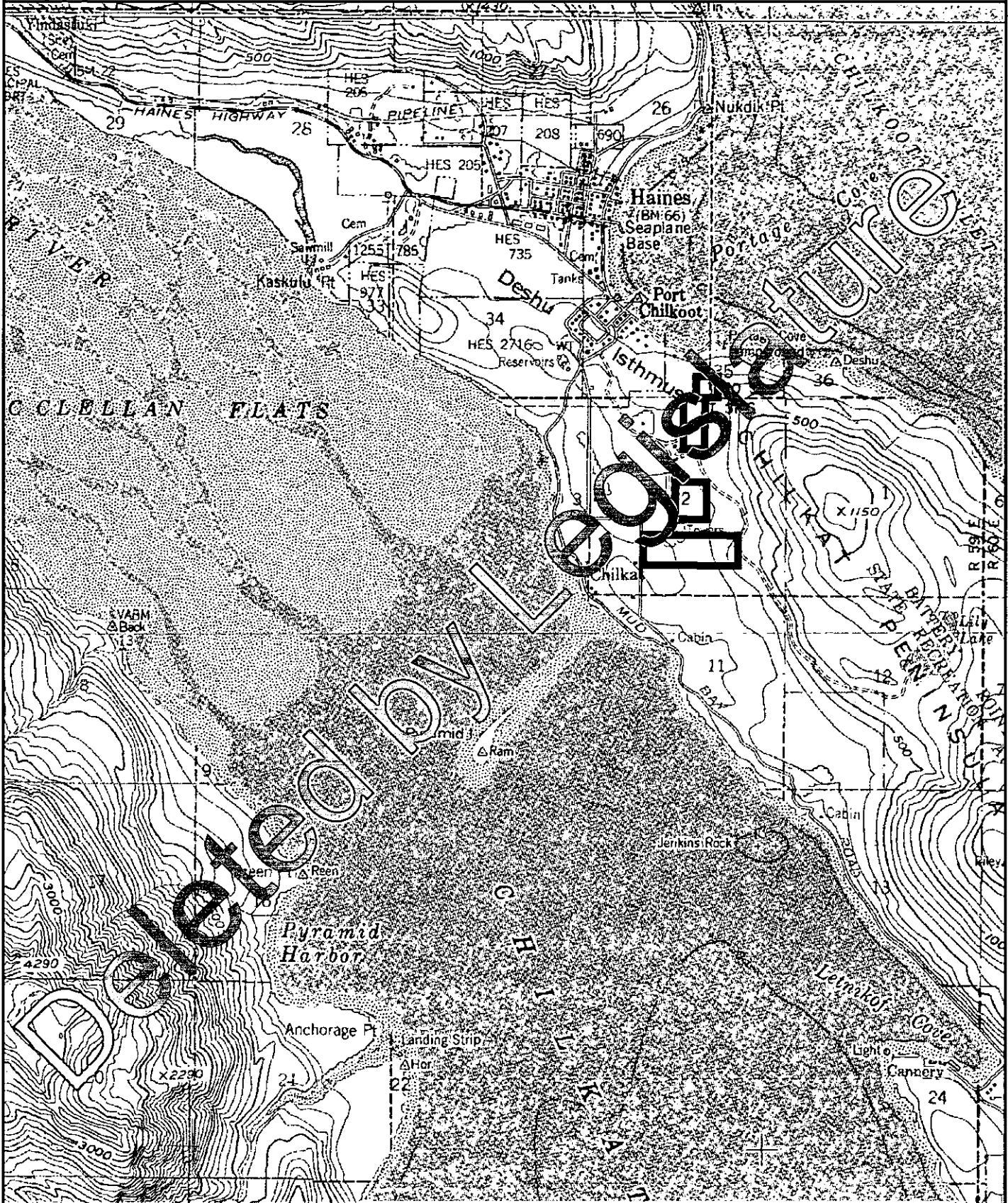
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Source USGS Petersburg C-3, C-4
Date: 12/2004



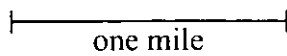
Meridian	Township	Range
CRM	61S	82E

Haines-Chilkoot

HA.CH.1001



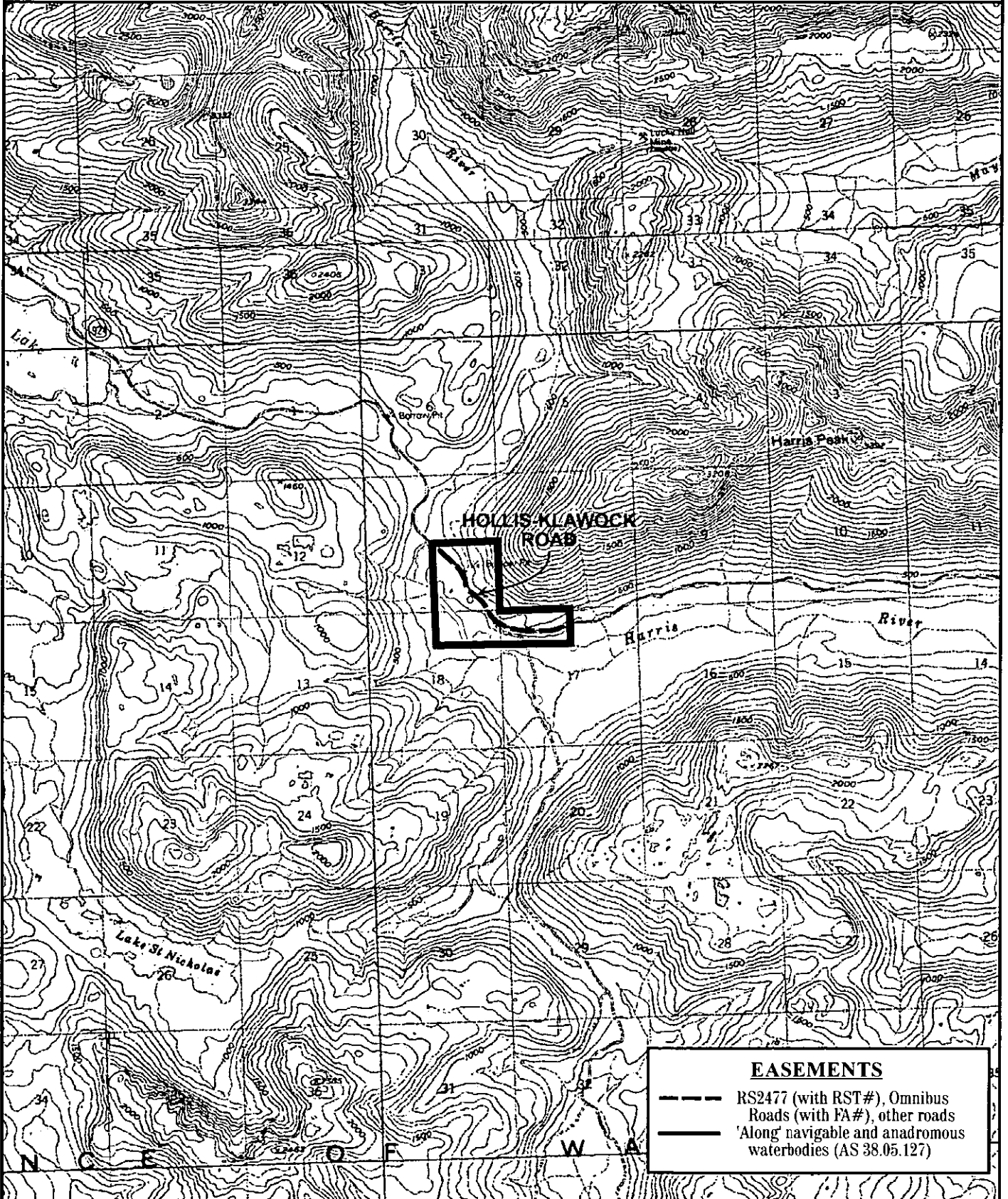
Prepared by: DNR
Source USGS Skagway A-2
Date: 12/2004



Meridian	Township	Range
CRM	30-31S	59E

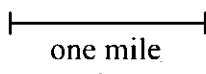
Harris Road Junction

CR.1001



EASEMENTS
 - - - RS2477 (with RST#), Omnibus Roads (with FA#), other roads
 ——— 'Along' navigable and anadromous waterbodies (AS 38.05.127)

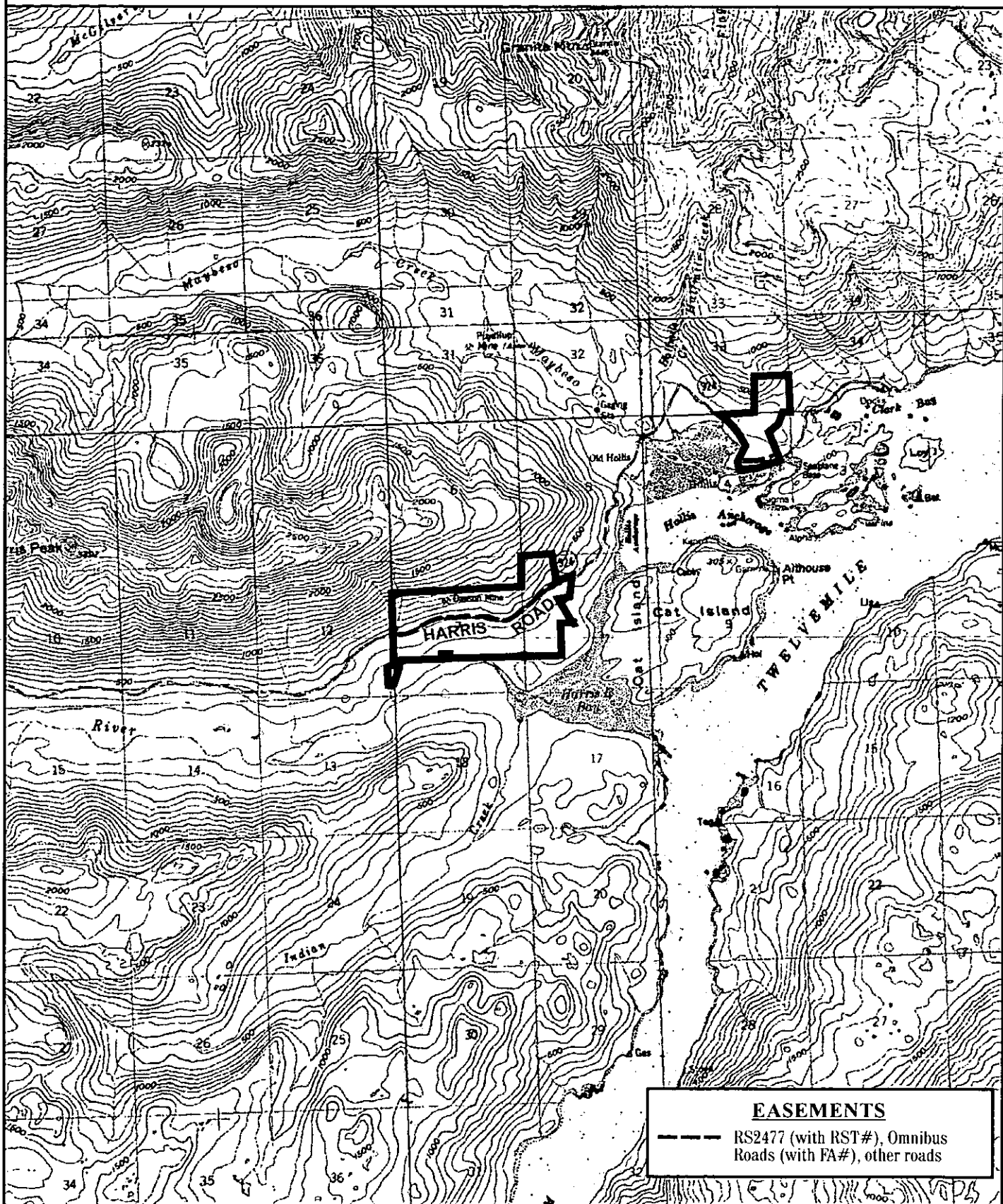
Prepared by: DNR
 Source USGS Craig B-3
 Date: 12/2004



Meridian	Township	Range
CRM	74S	83E

Hollis

PW.HO.1001



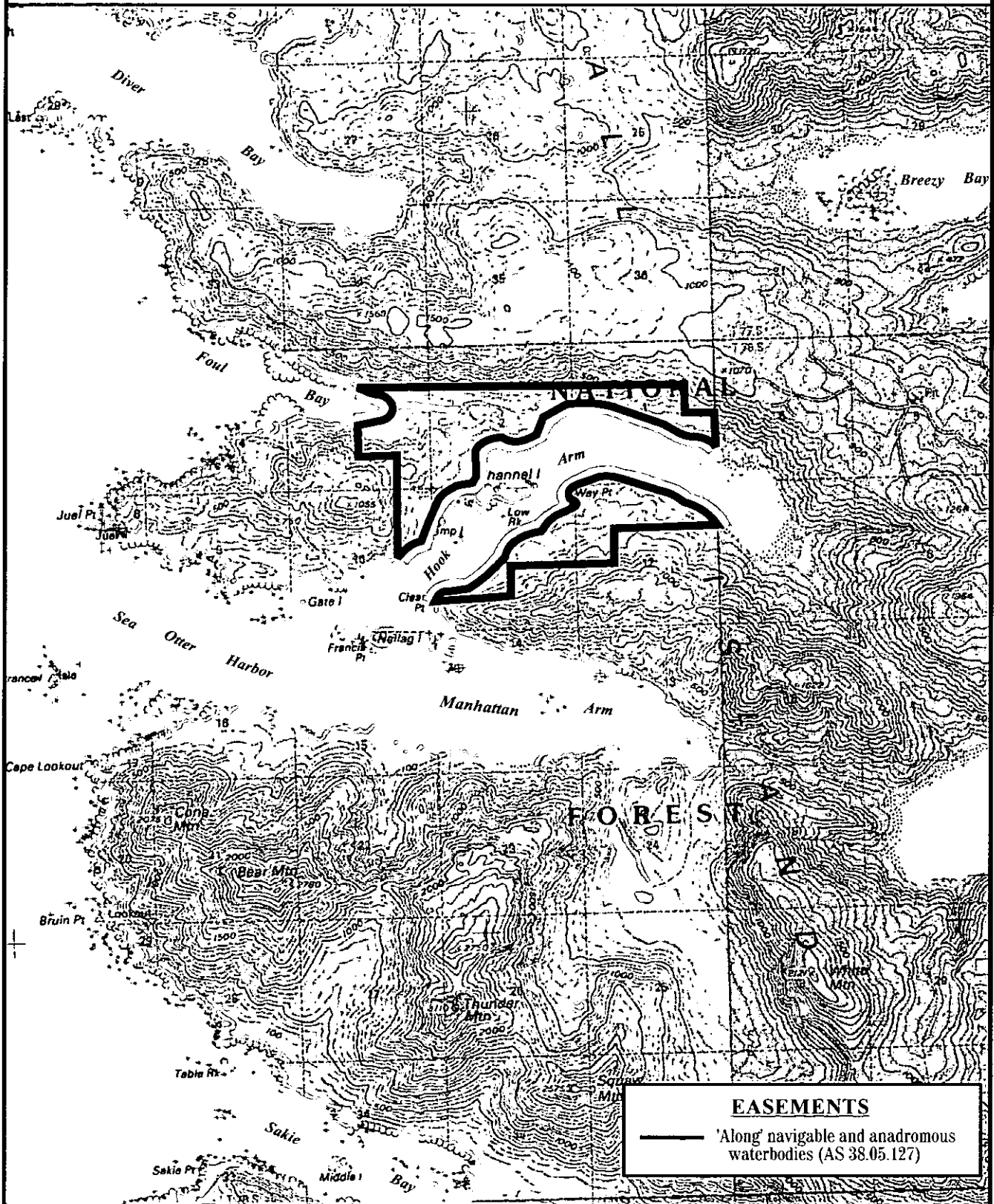
Prepared by: DNR
Source USGS Craig B2, B3, C2, C3
Date: 12/2004

— one mile —

Meridian	Township	Range
CRM	73S-74S	83E-84E

Hook Arm

PW.HK.1001



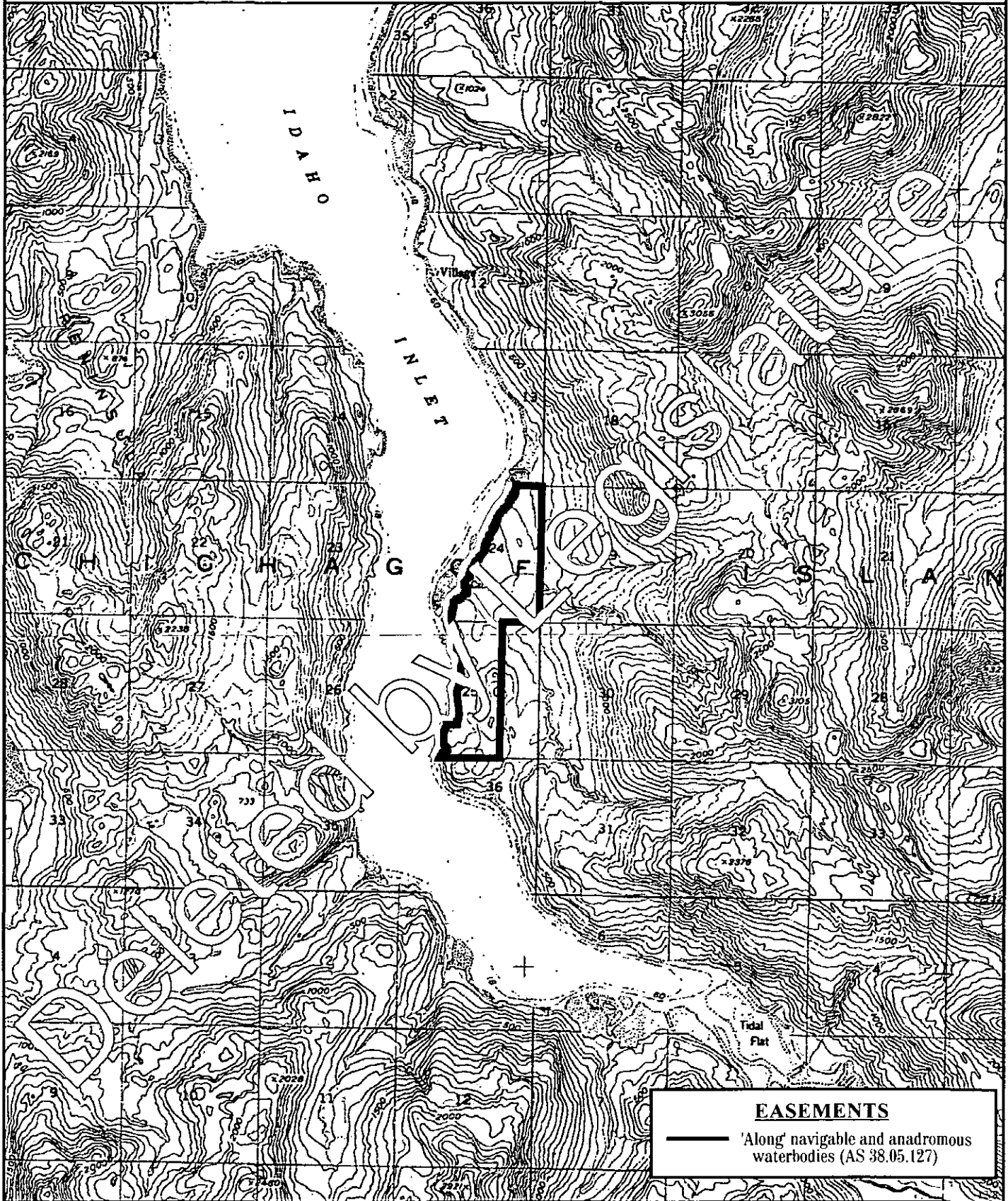
Prepared by: DNR, rhc
Source USGS, Craig A-4
Date: 12/2004

— one mile —

Meridian	Township	Range
CRM	78S	81E

Idaho Inlet

MF.1002



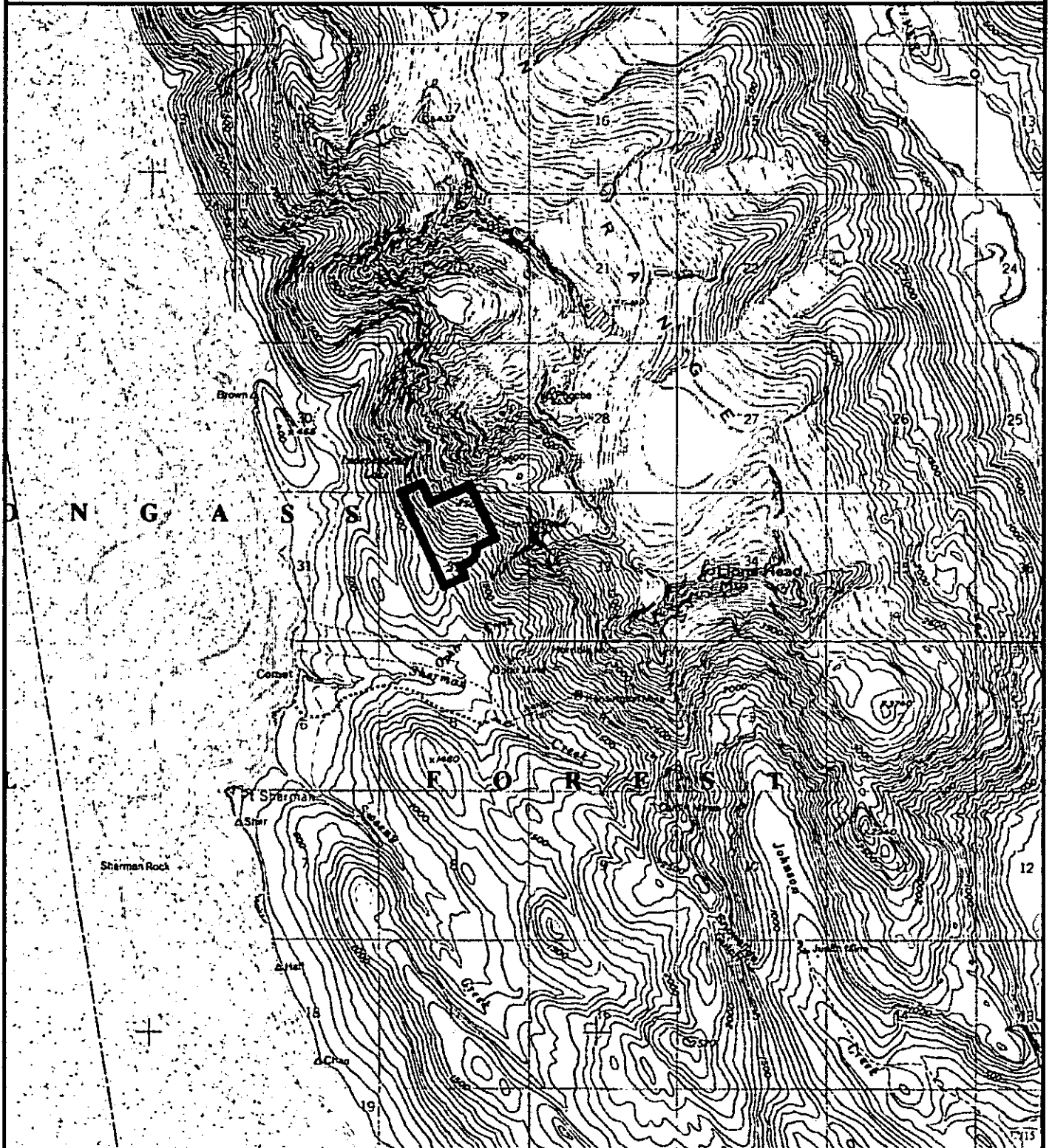
Prepared by: DNR
Source USGS Mt. Fairweather A-1
Date: 12/2004

— one mile —

Meridian	Township	Range
CRM	43S	56E

Ivanhoe

JU.NL.1001



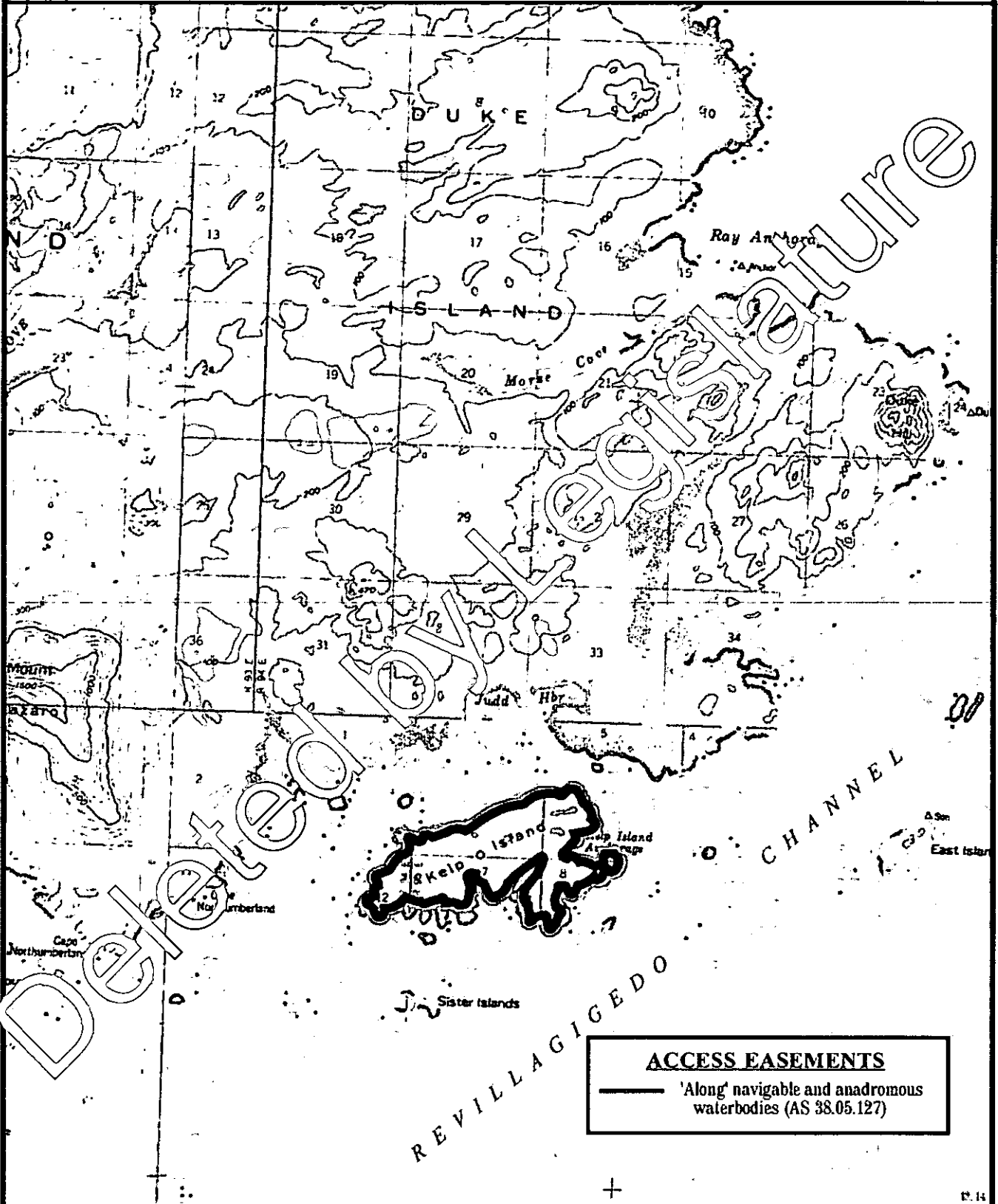
Prepared by: DNR
Source USGS Juneau D-4
Date: 12/2004

— one mile —

Meridian	Township	Range
CRM	34S	62E

Kelp Island

CS.KI.1001



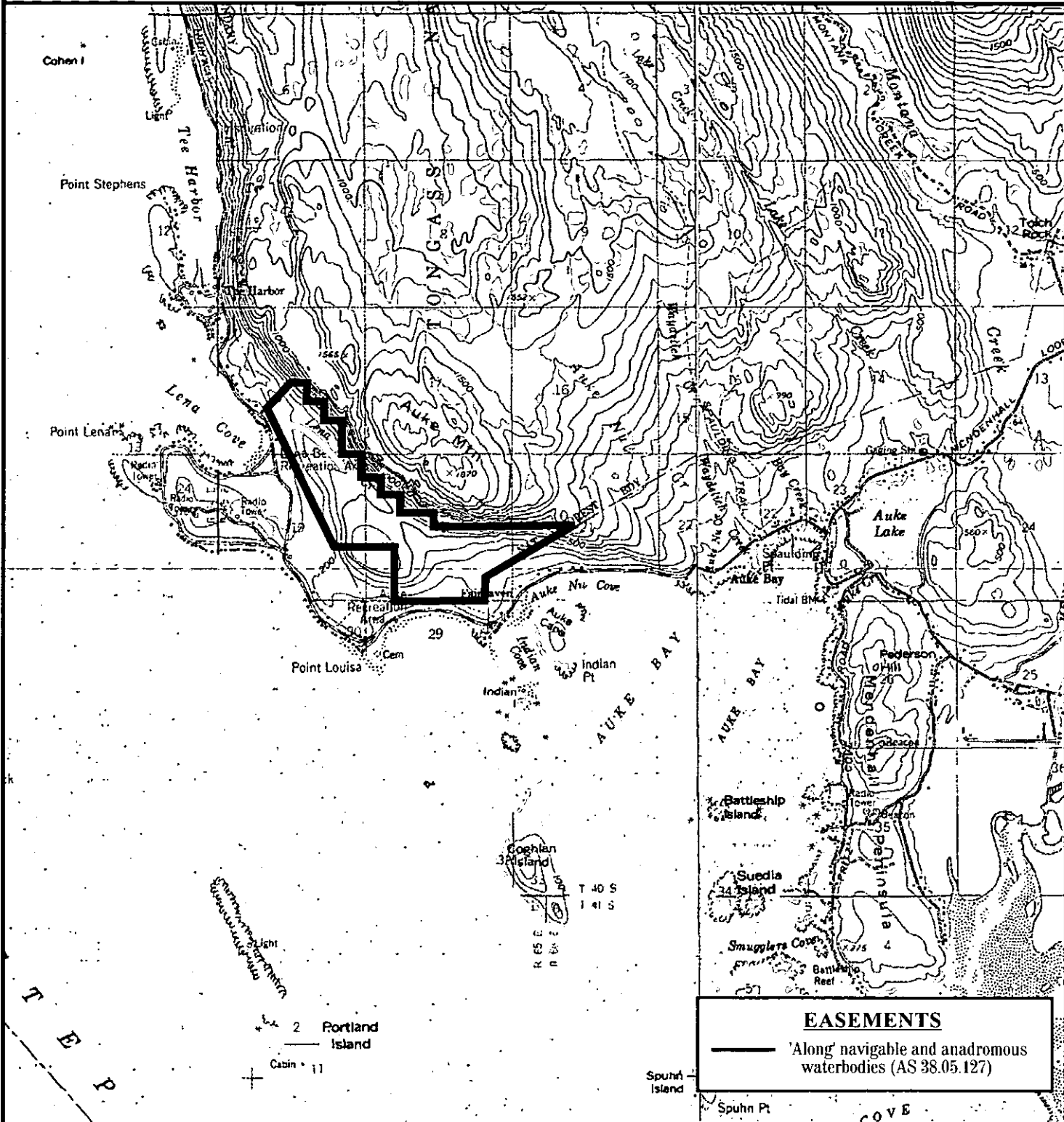
Prepared by: rhc
Source USGS, Prince Rupert D-4
Date: 12/2004

—|—
one mile

Meridian	Township	Range
CRM	81S	94-95E

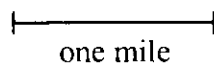
Lena Creek

JU.LM.1001



EASEMENTS
 ——— 'Along' navigable and anomalous waterbodies (AS 38.05.127)

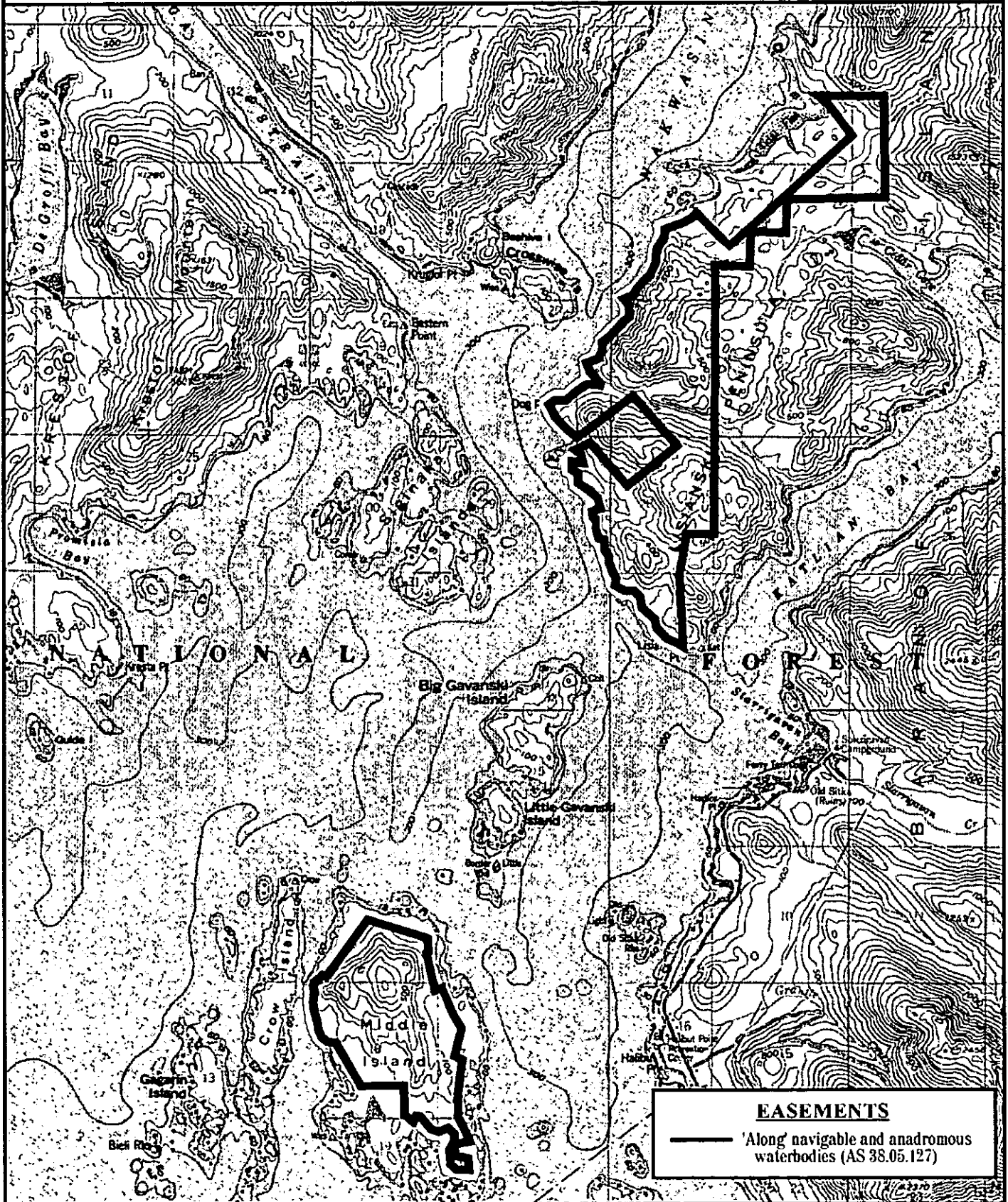
Prepared by: DNR
 Source USGS, Juneau B-2, B-3
 Date: 12/2004



Meridian CRM Township 40S Range 65E

Lisianski Peninsula

ST.LS.1001



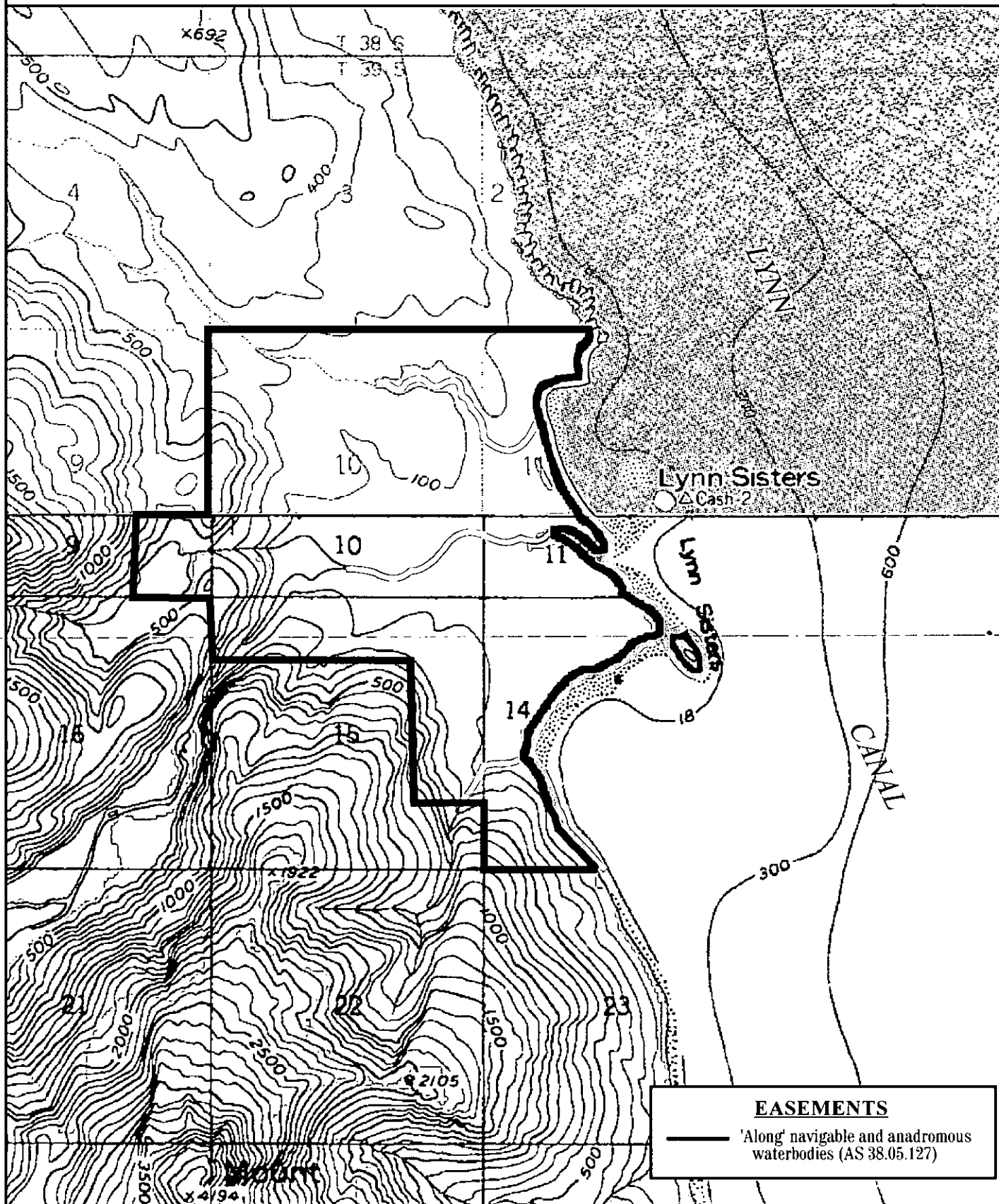
Prepared by: DNR
Source USGS Sitka A-5
Date: 12/2004

— one mile —

Meridian	Township	Range
CRM	54S	63E

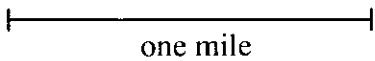
Lynn Canal

JU.1002



EASEMENTS
— 'Along' navigable and anadromous waterbodies (AS 38.05.127)

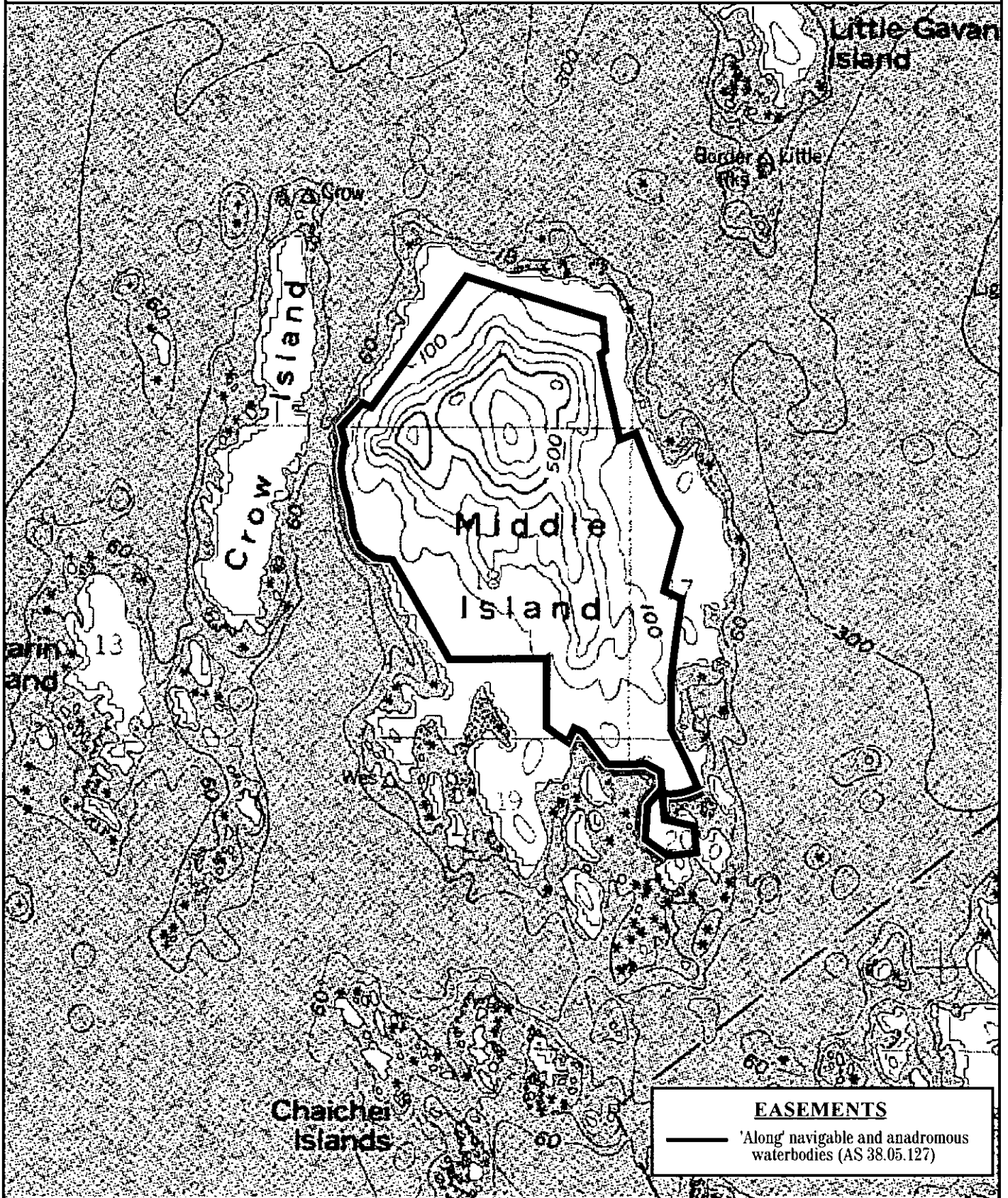
Prepared by: DNR
Source USGS Juneau C-4, B-4
Date: 12/2004



Meridian	Township	Range
CRM	39S	62E

Middle Island

ST.1001



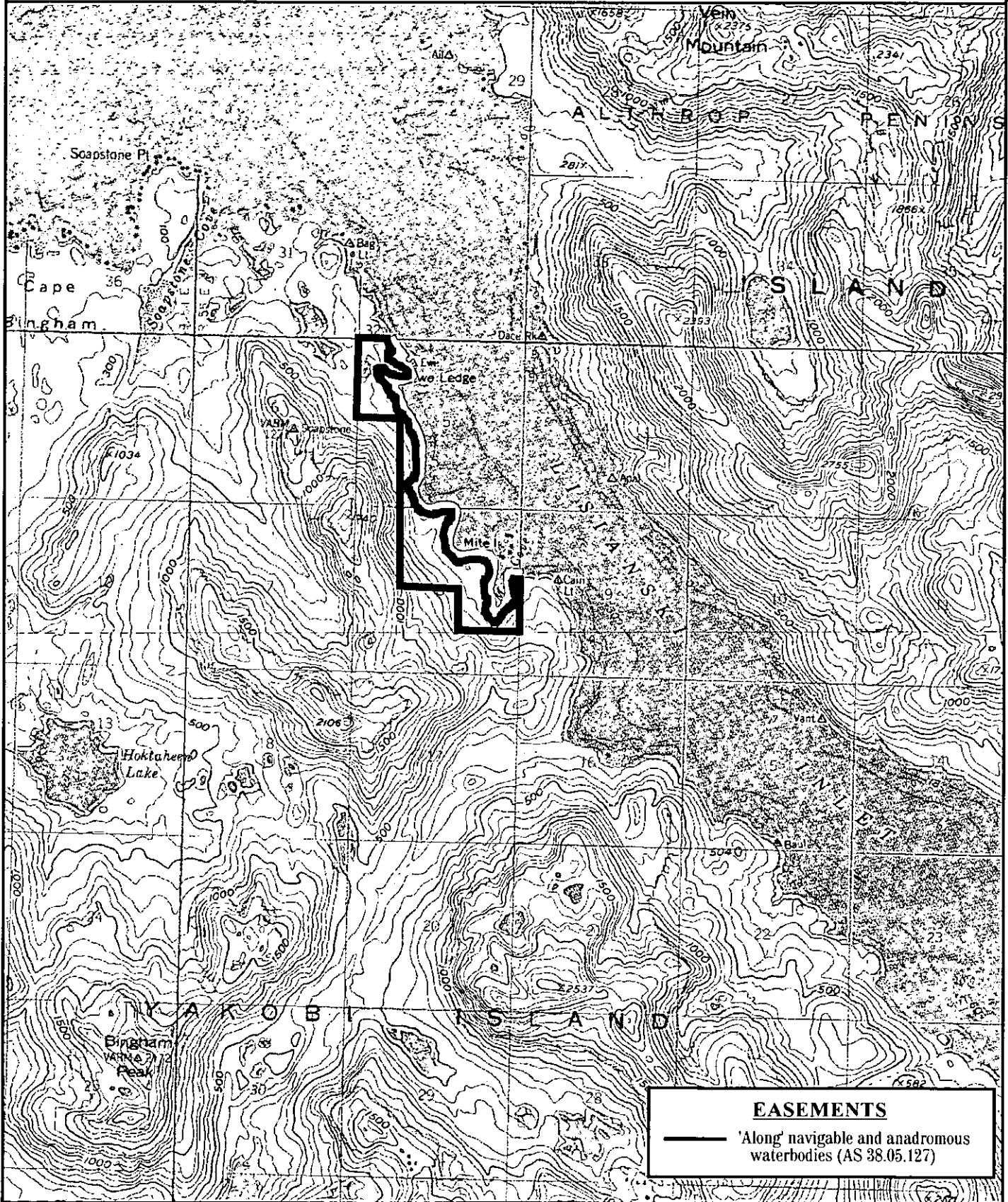
Prepared by: DNR
Source USGS Sitka A-5
Date: 12/2004

— one mile —

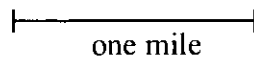
Meridian	Township	Range
CRM	55S	62-63E

Mite Cove

MF.1001



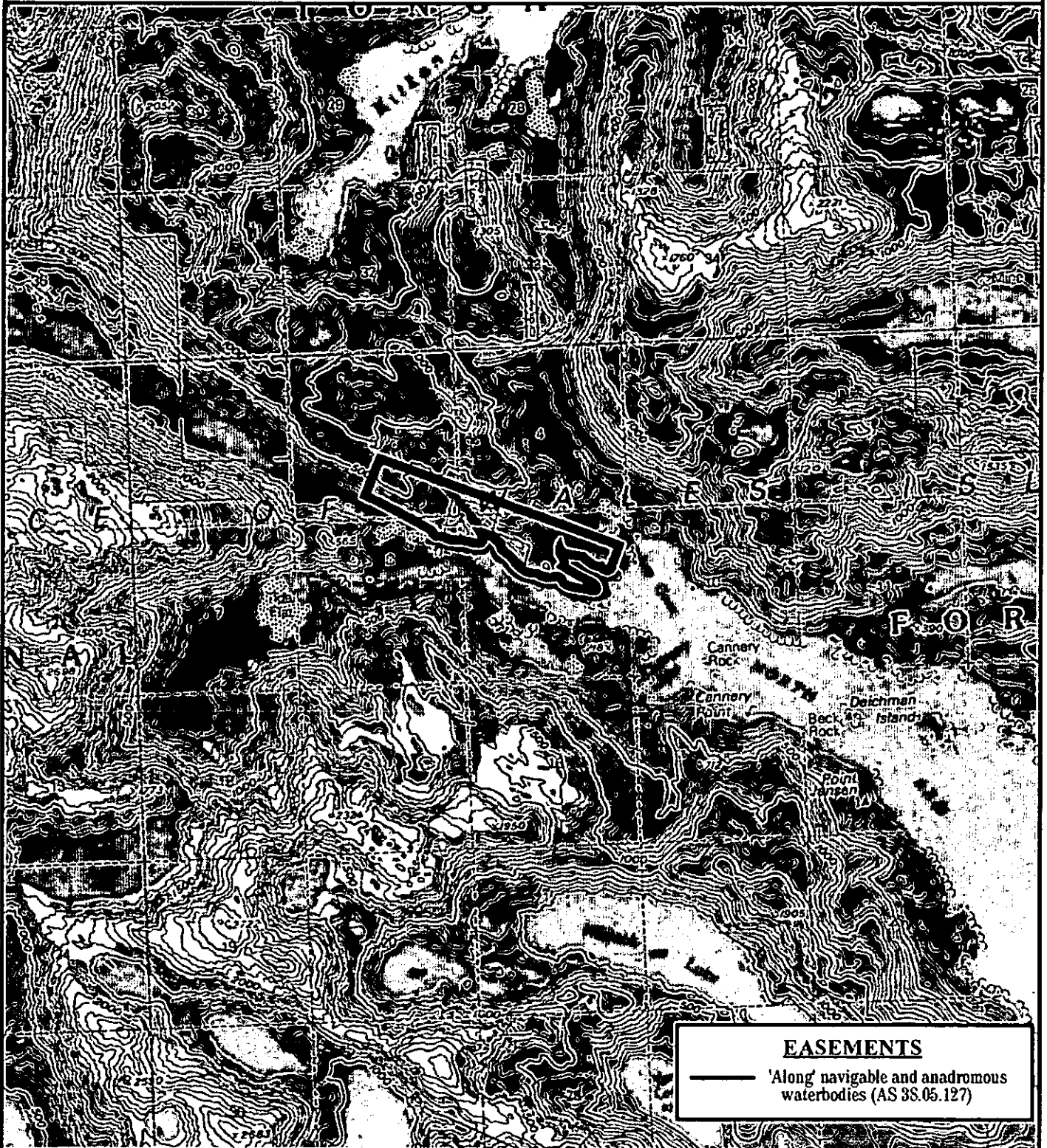
Prepared by: DNR
Source USGS Mt. Fairweather A-2
Date: 12/2004



Meridian	Township	Range
CRM	44S	55E

Moira Sound/Nowiskay Cove

PW.MS.1001



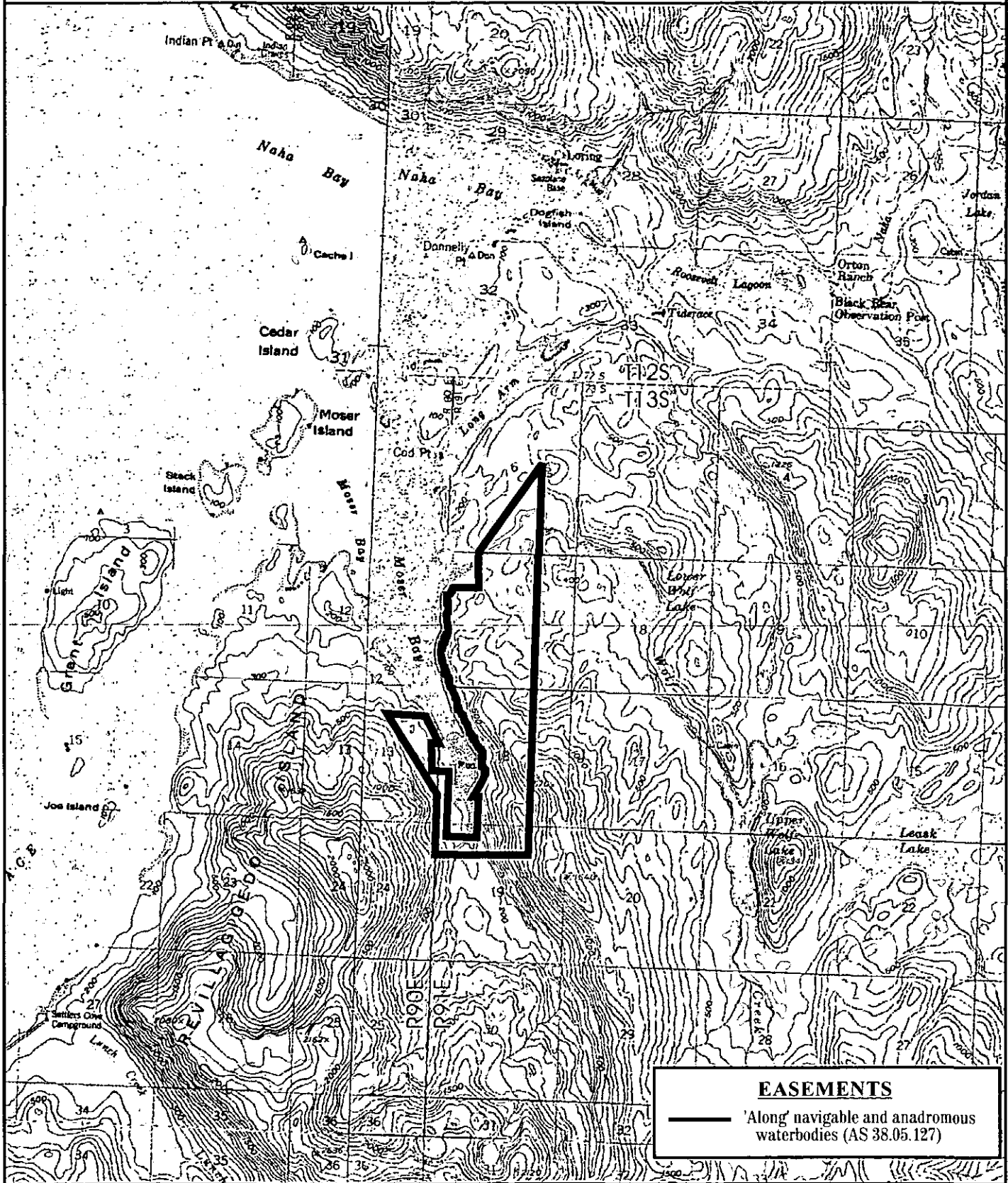
Prepared by: DNR
Source USGS Craig A-1
Date: 12/2004

—|—————|—
one mile

Meridian	Township	Range
CRM	78S	88E

Moser Bay

CS.MB.1001



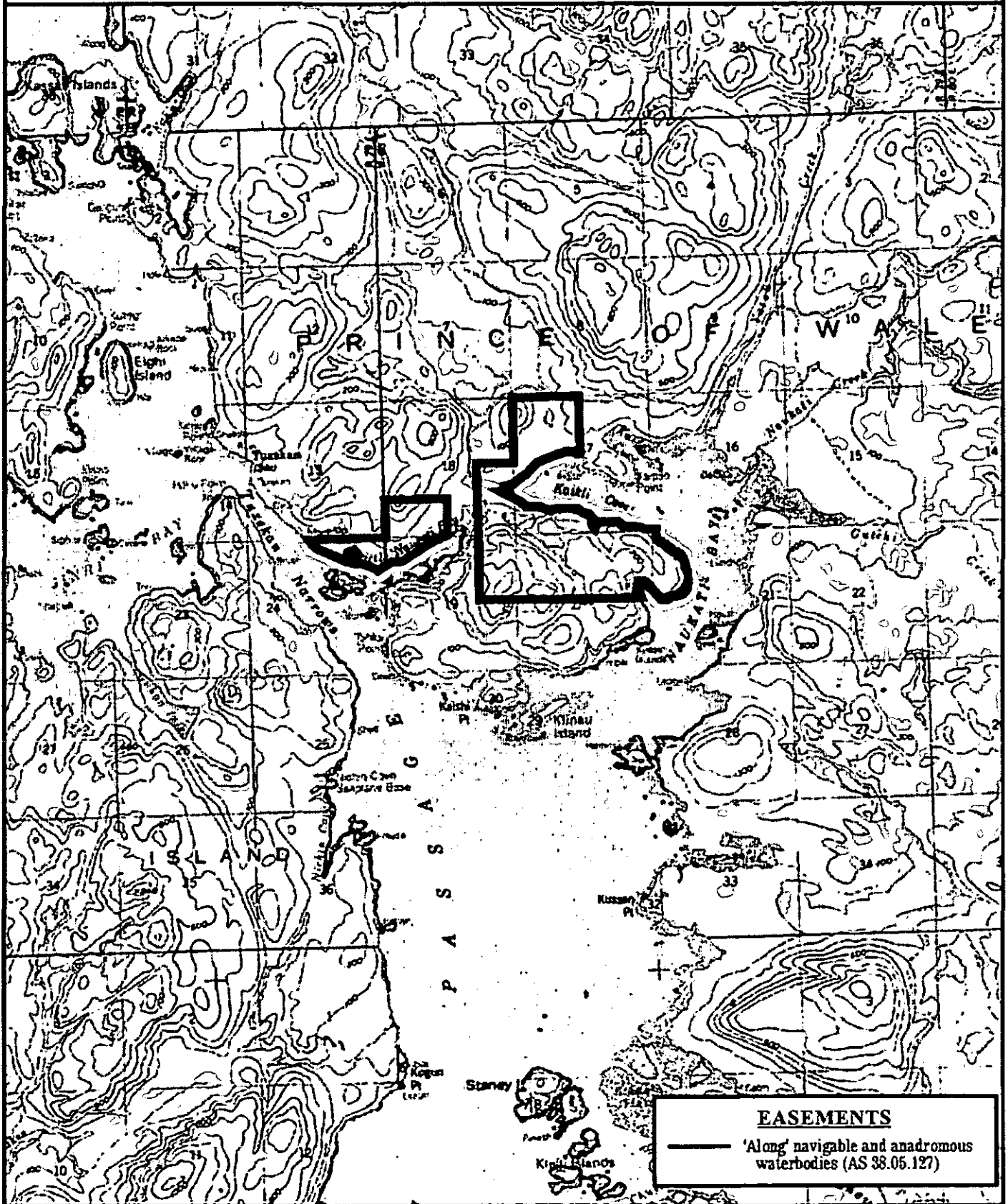
Prepared by: DNR
Source USGS Ketchikan C-5
Date: 12/2004

one mile

Meridian	Township	Range
CRM	73S	90E-91E

Naukati Sound

PW.NA.1001



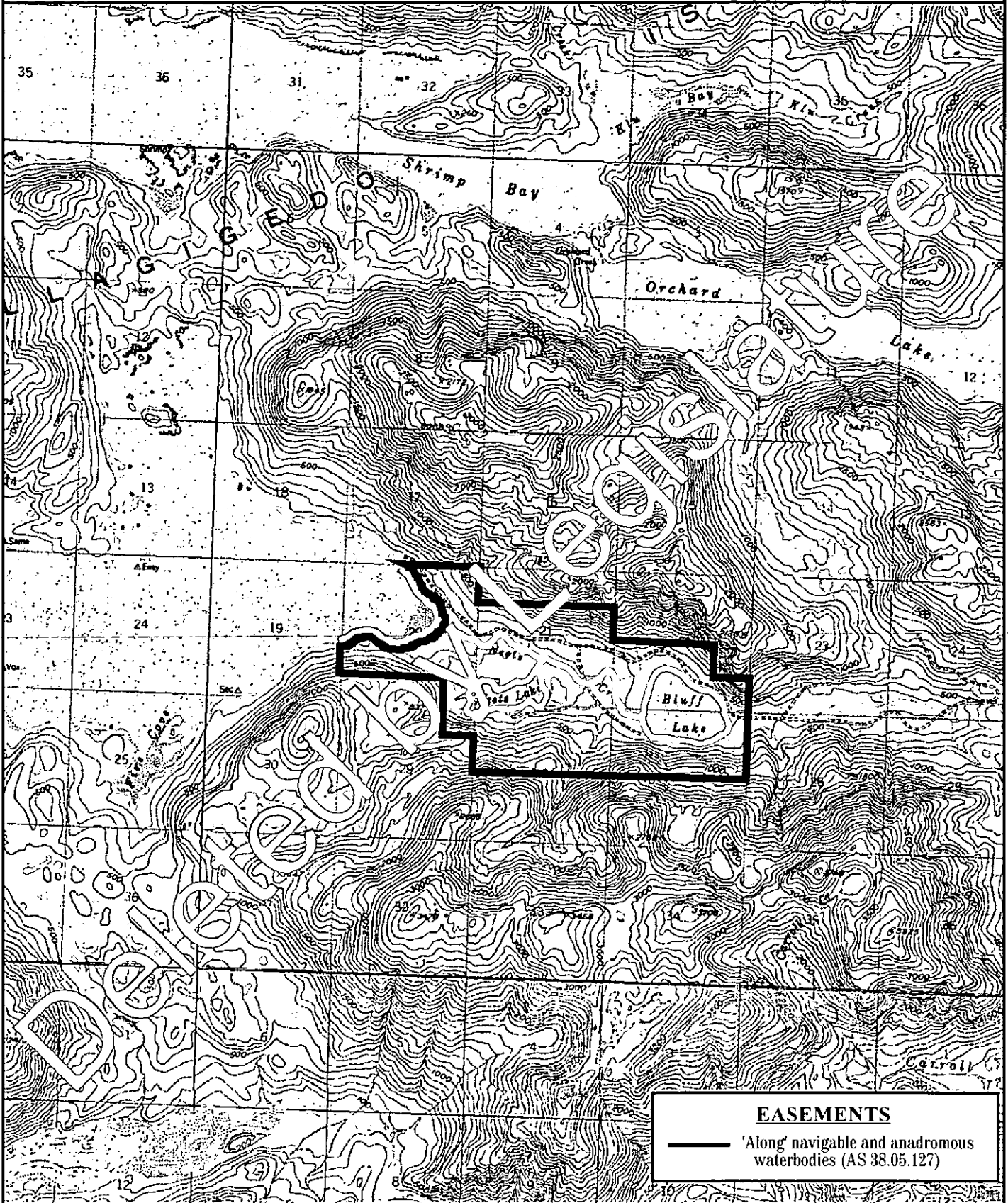
Prepared by: DNR
Source USGS Craig D-4
Date: 12/2004

— one mile —

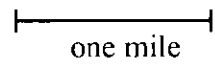
Meridian	Township	Range
CRM	69S	79E-80E

Neets Creek

KT.1004



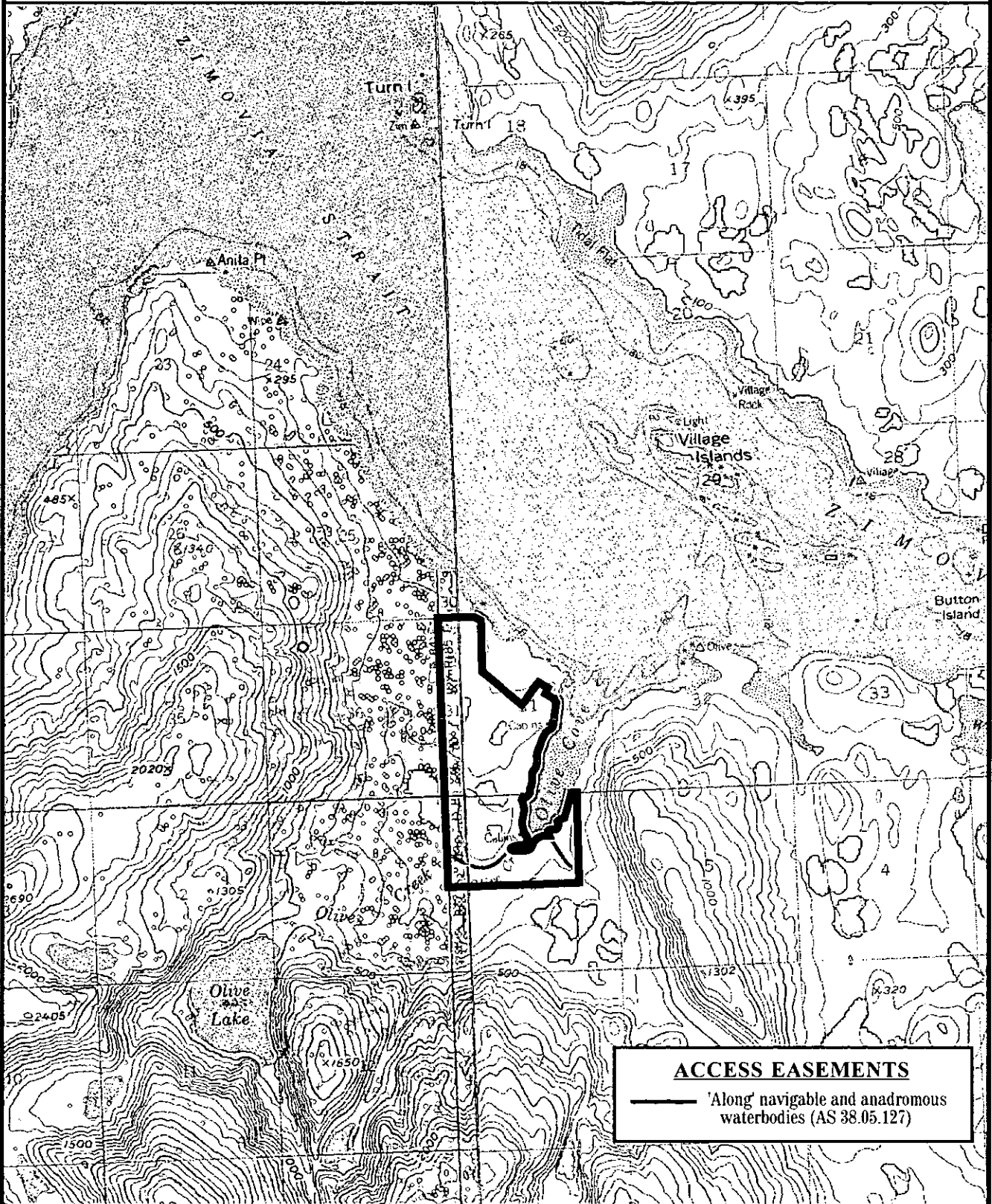
Prepared by: DNR
Source USGS Ketchikan D-4
Date: 12/2004



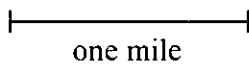
Meridian	Township	Range
CRM	70S	91E

Olive Cove

CS.OV.1001



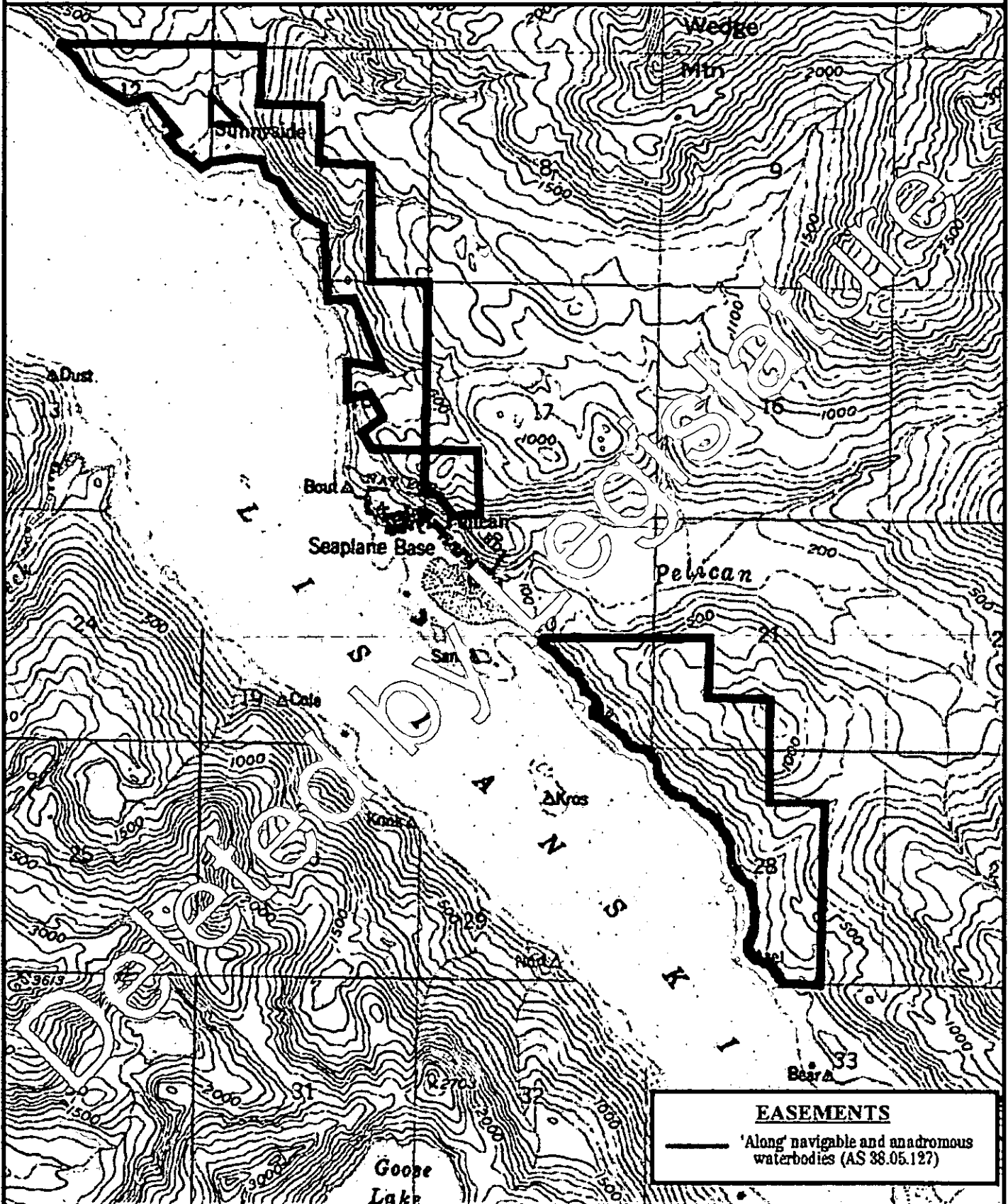
Prepared by: rhc
Source USGS, Petersburg A-1 & A-2
Date: 12/2004



Meridian	Township	Range
CRM	65 & 66S	85E

Pelican

ST.1002



EASEMENTS
— 'Along' navigable and anadromous waterbodies (AS 38.05.127)

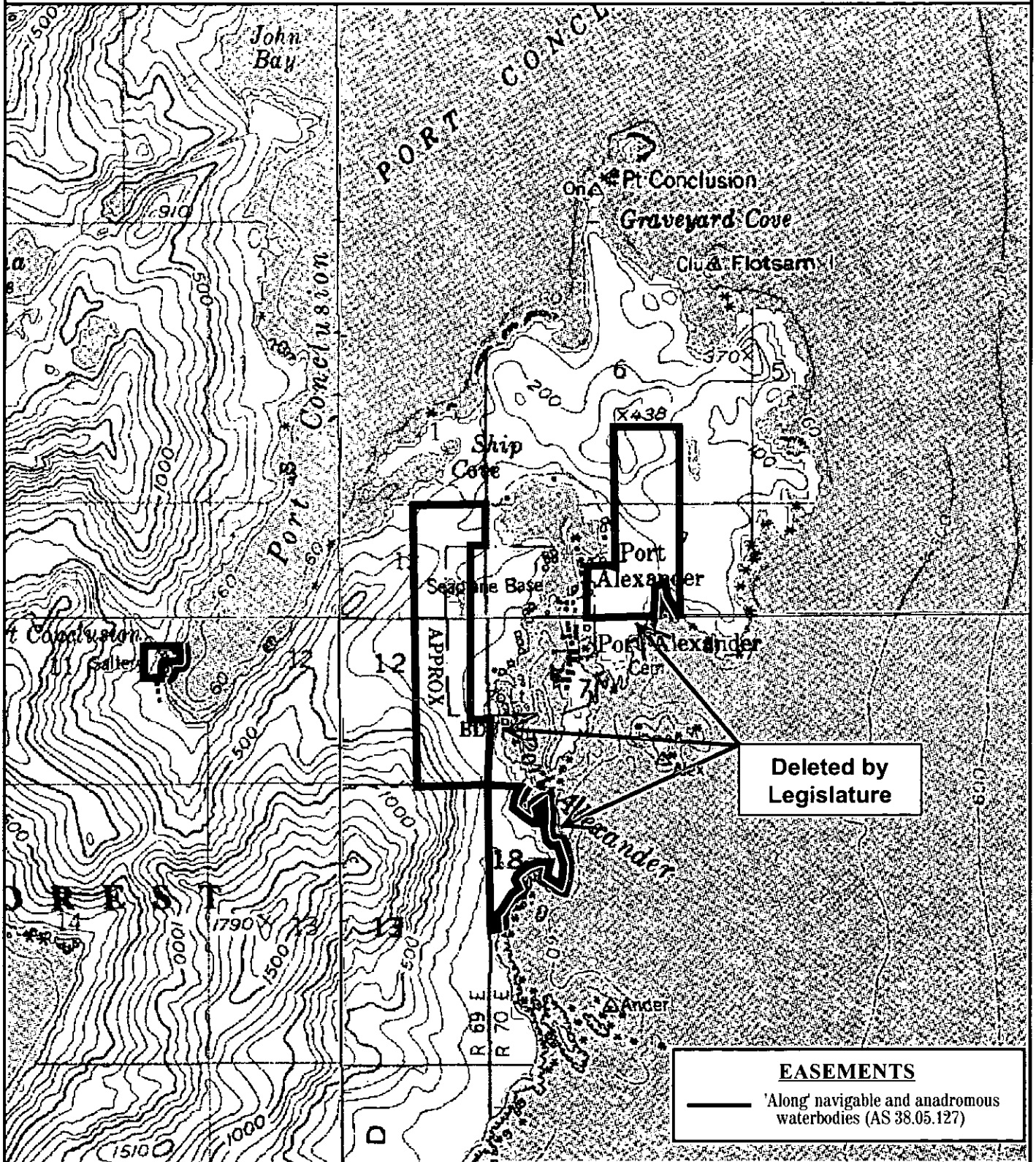
Prepared by: DNR
Source USGS Sitka D-7
Date: 12/2004

— one mile —

Meridian	Township	Range
CRM	45S	56-57E

Port Alexander & Port Conclusion

PA.1001



EASEMENTS
 ——— 'Along' navigable and anadromous waterbodies (AS 38.05.127)

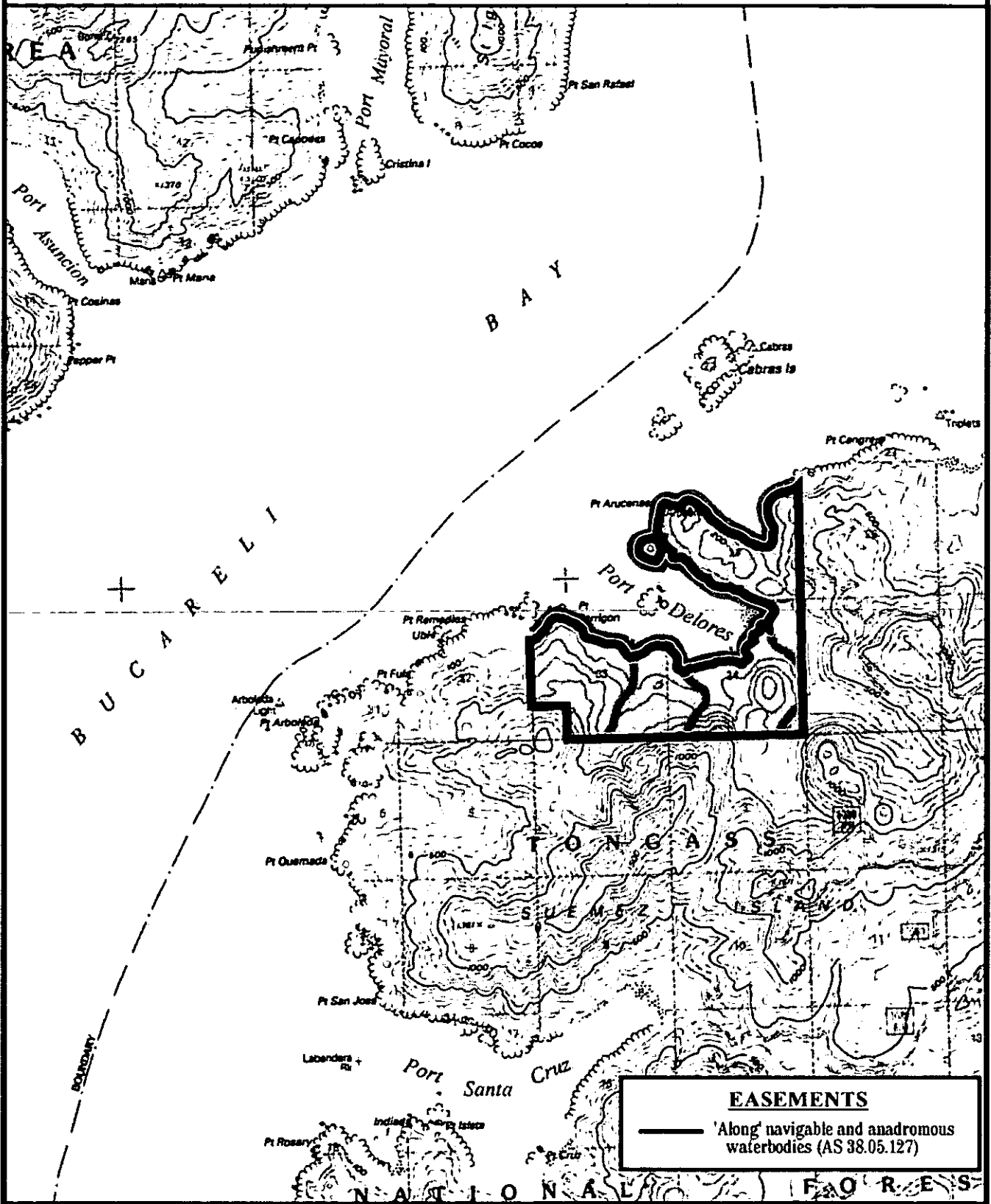
Prepared by: DNR
 Source USGS Port Alexander B-2, B-3, A-2, A-3
 Date: 12/2004

Meridian Township Range
 CRM 65S 69-70E

one mile

Port Delores

PW.PD.1001



Prepared by: rhc
Source USGS, Craig B-5
Date: 12/2004

one mile

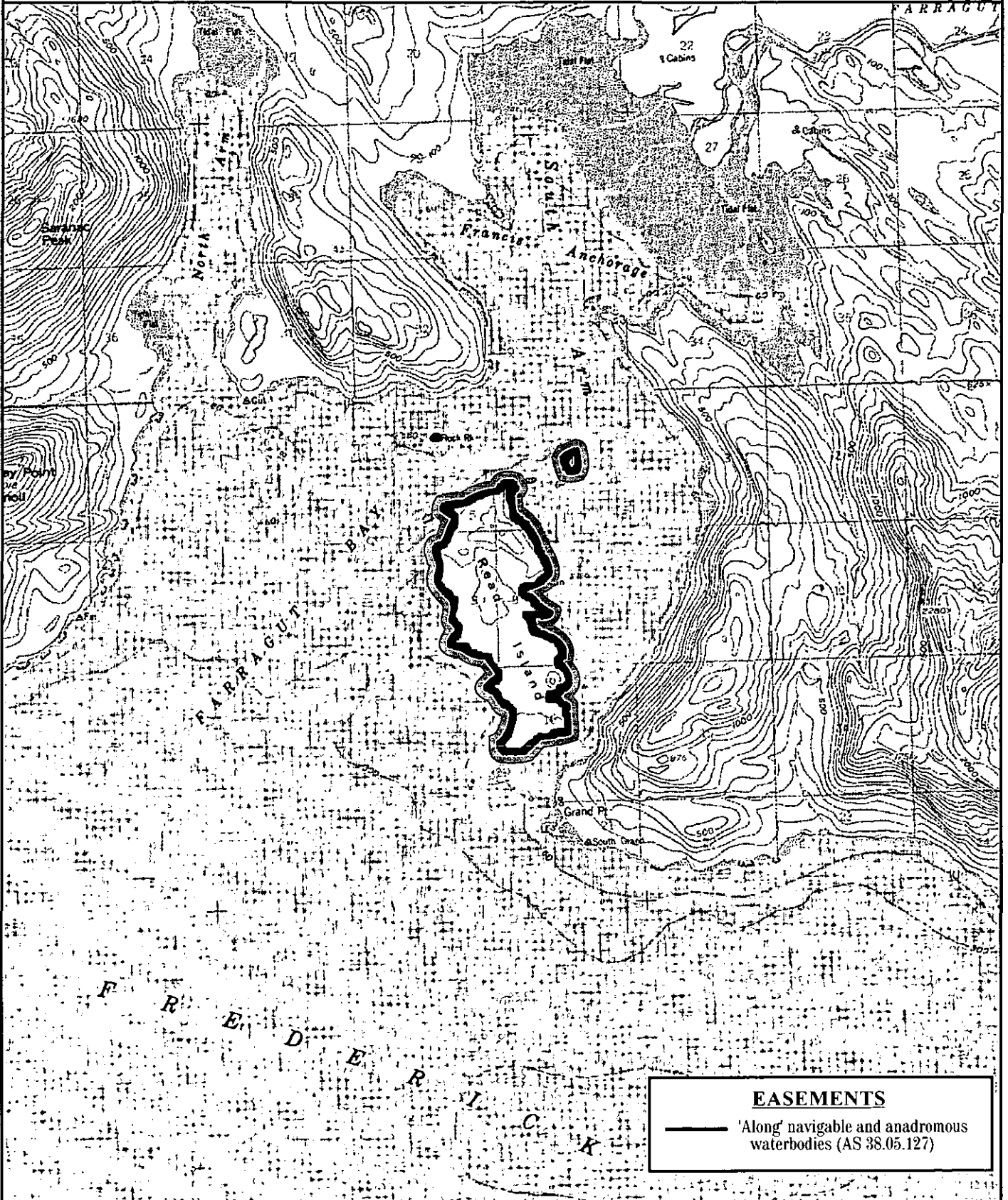
Meridian
CRM

Township
75S

Range
79E

Read Island

SD.1001



EASEMENTS
— Along navigable and anadromous waterbodies (AS 38.05.127)

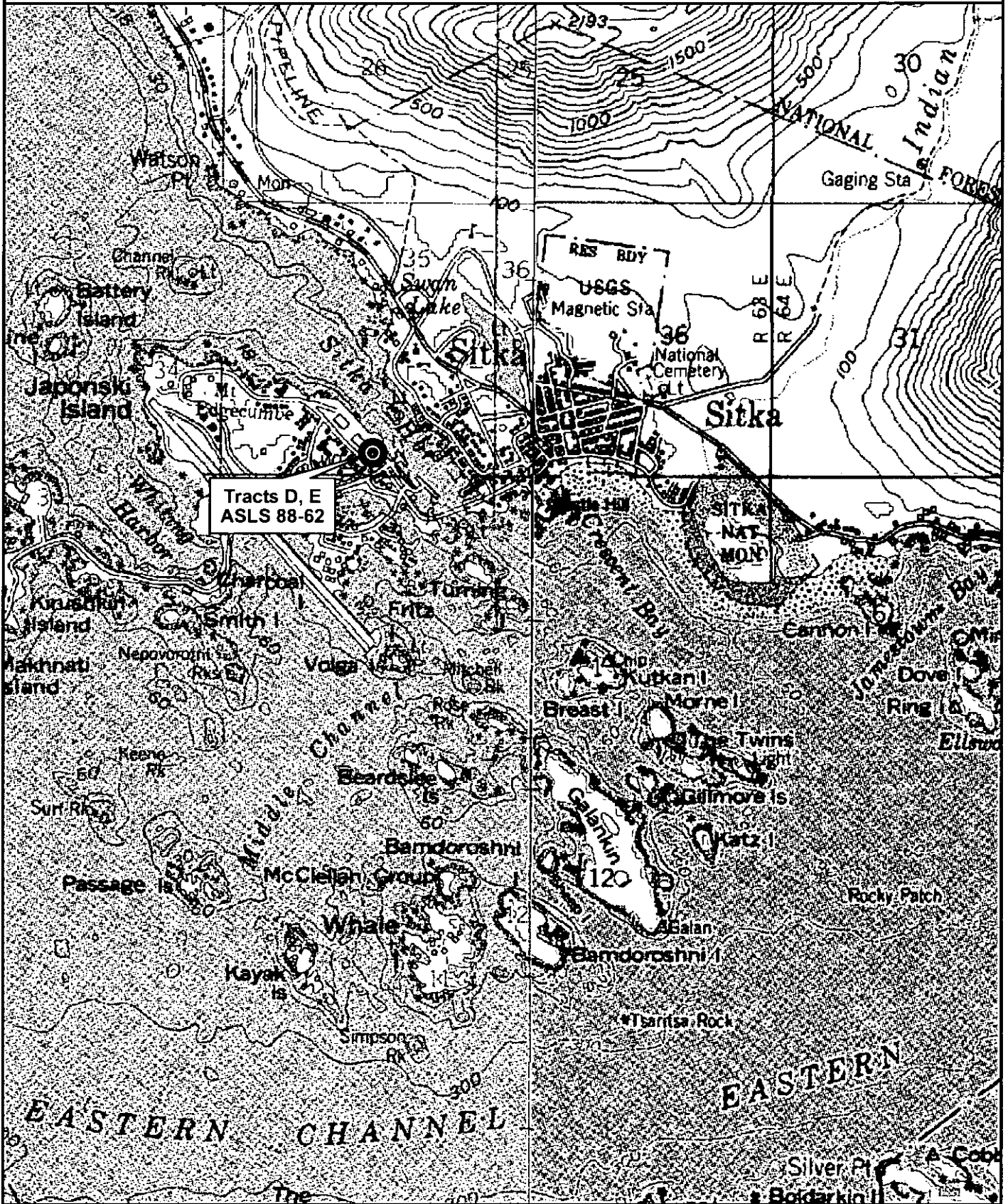
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Source USGS Sumdum A-4
Date: 12/2004

— one mile —

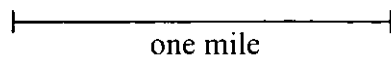
Meridian	Township	Range
CRM	55S	77E

Sitka (Campus)

ST.1001



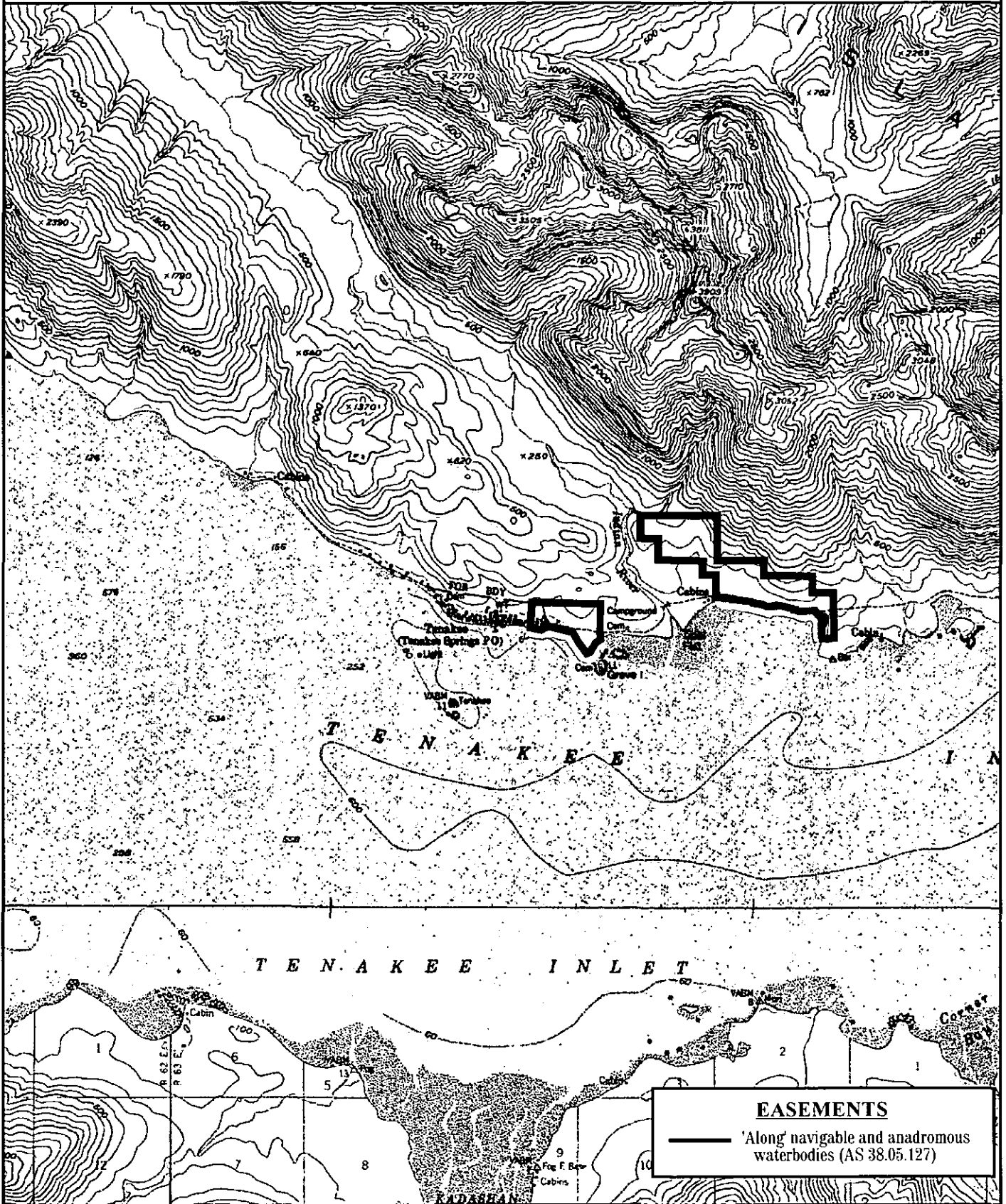
Prepared by: DNR
 Source USGS Sitka A-5
 Date: 12/2004



Meridian	Township	Range
CRM	55S	63E

Tenakee Springs

ST.1003



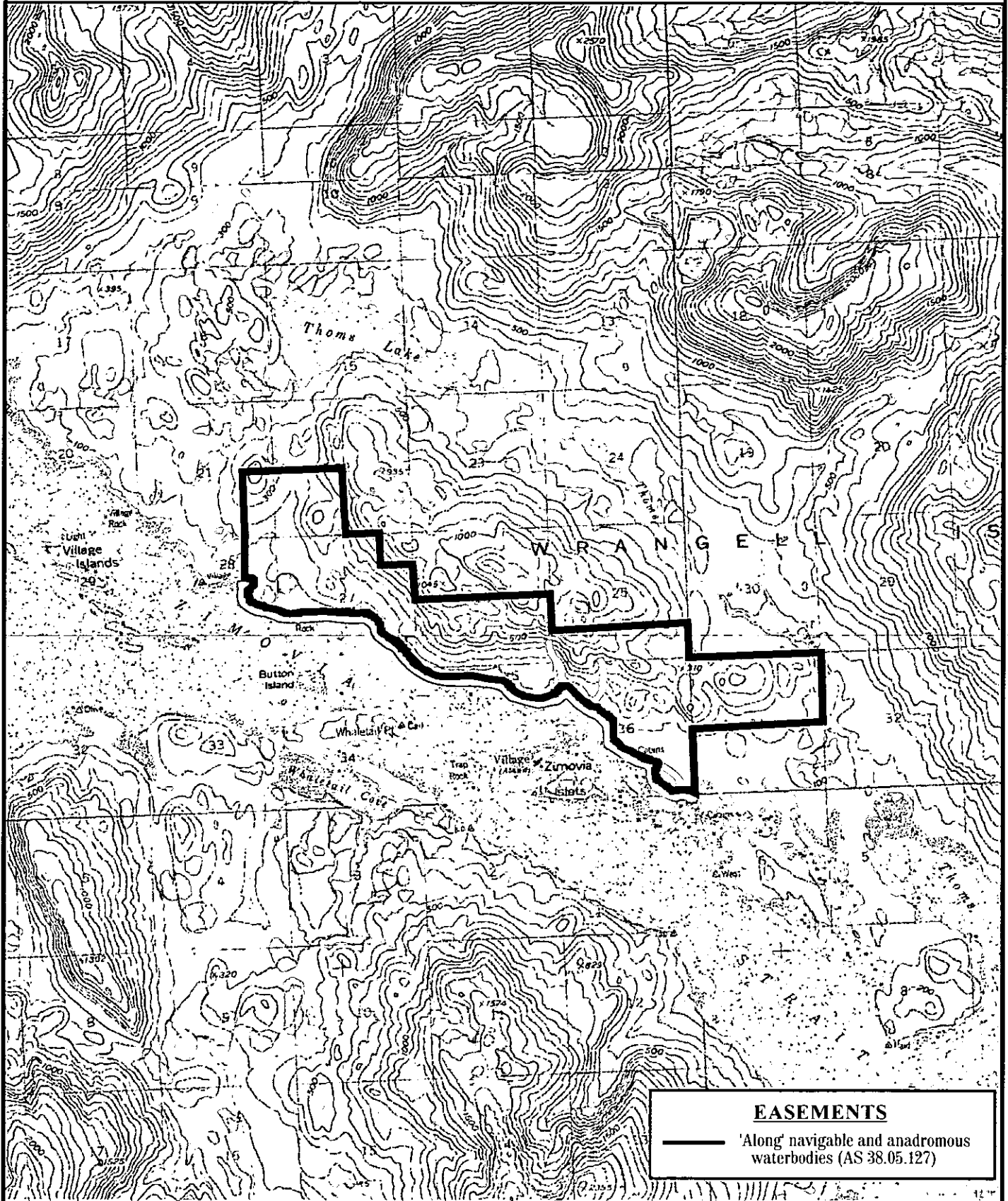
Prepared by: DNR
Source USGS Sitka D-4
Date: 12/2004

one mile

Meridian CRM
Township 47S
Range 63E

Thoms Place

SD.1001



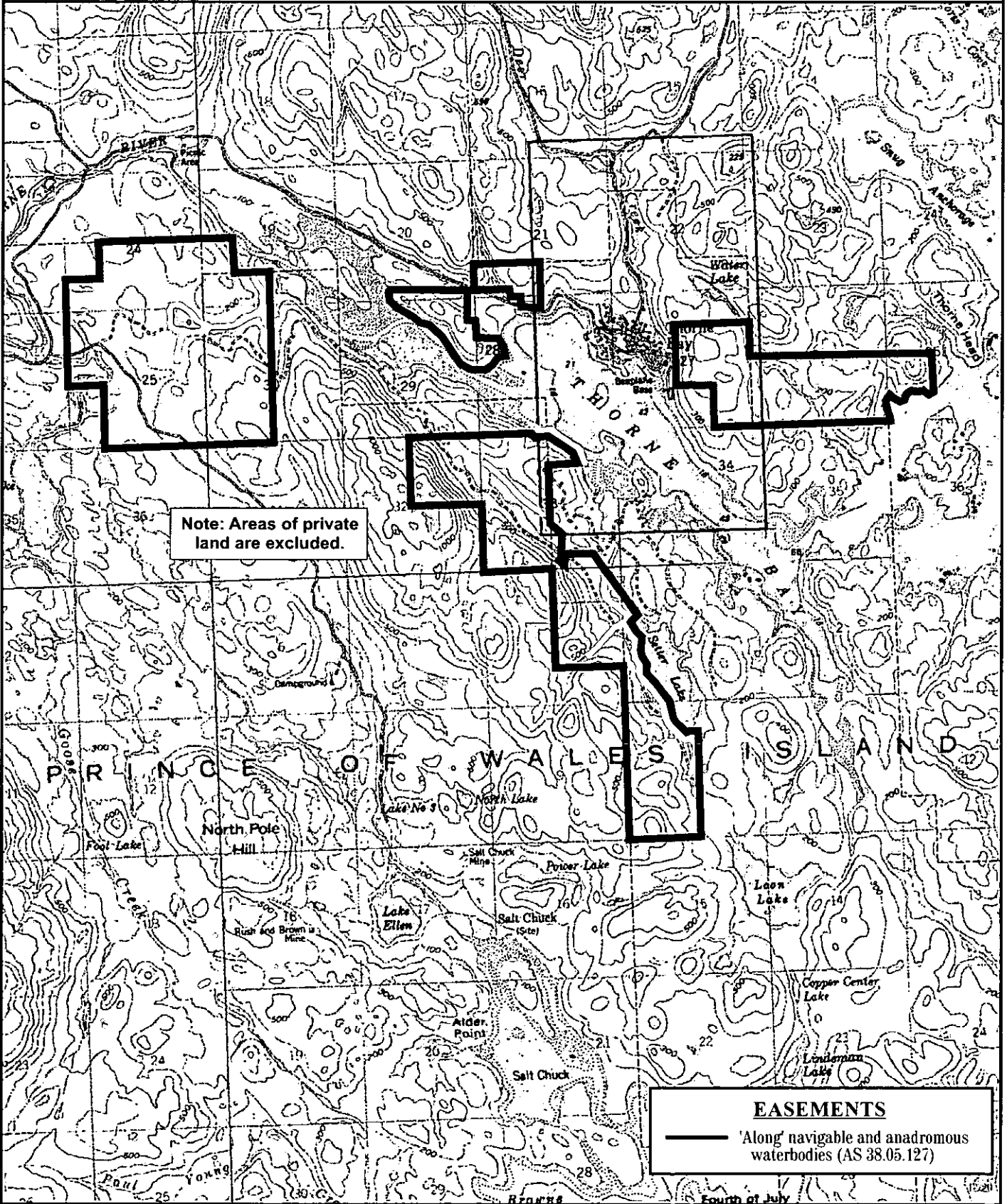
Prepared by: DNR
Source USGS Petersburg A-1
Date: 12/2004

— one mile —

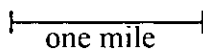
Meridian	Township	Range
CRM	65S	85-86E

Thorne Bay

PW.TH.01



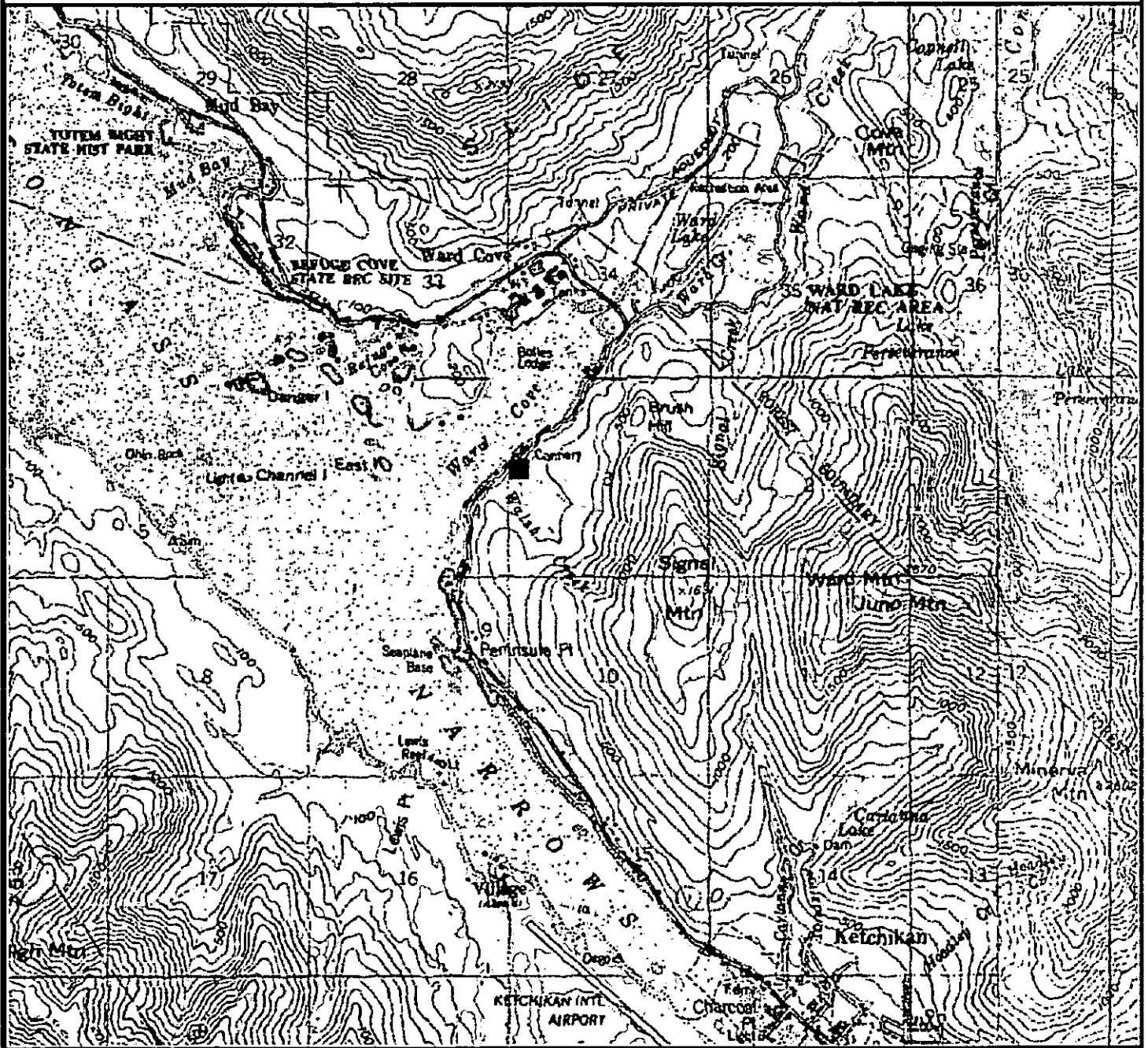
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Source USGS Craig C-2
Date: 12/2004



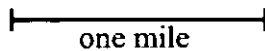
Meridian	Township	Range
CRM	71S-72S	83E-84E

Ward Cove

CS.WC.1001



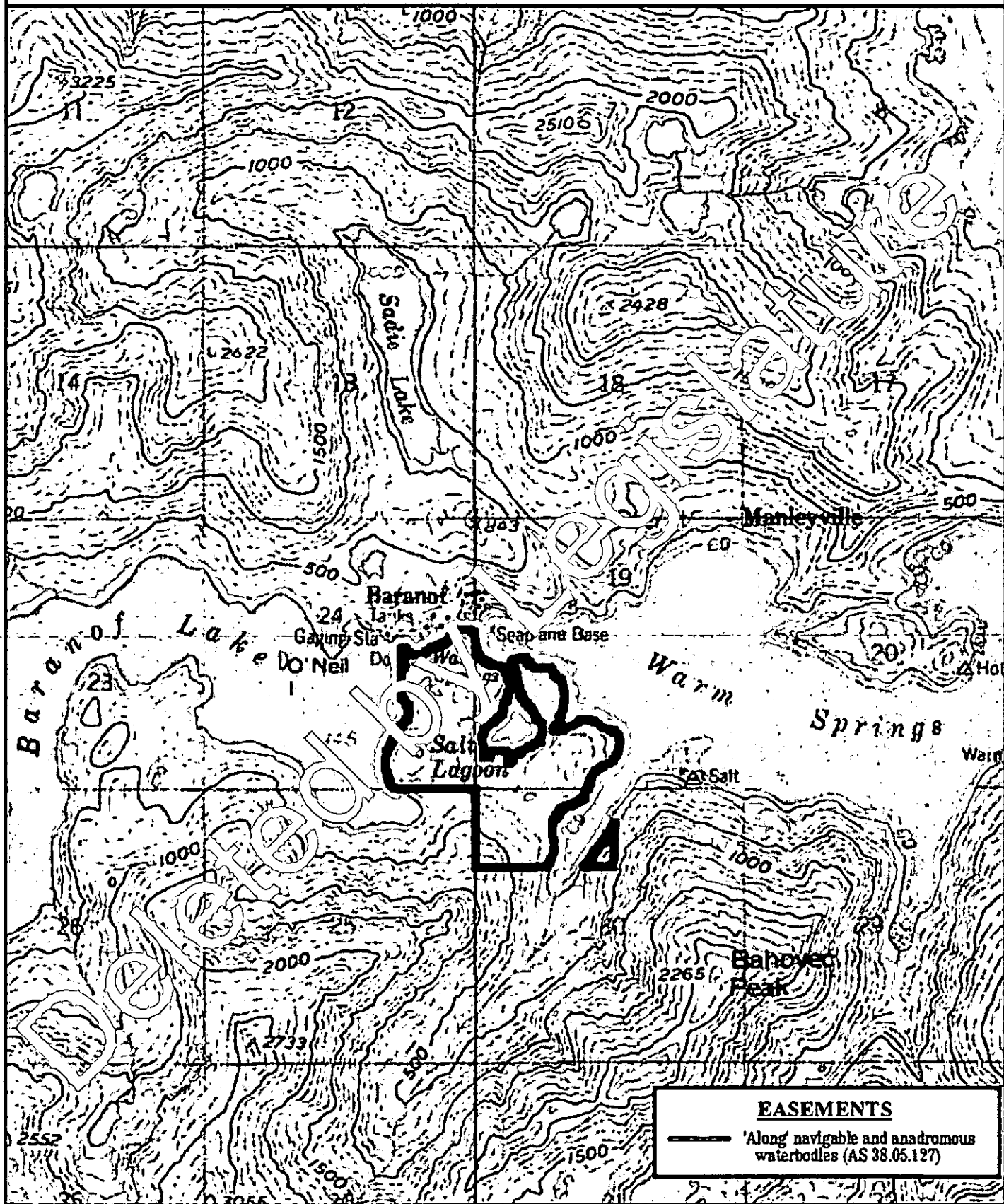
Prepared by: RHC
Source USGS, Ketchikan B-6
Date: 12/2004



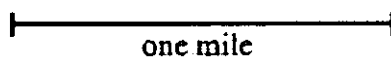
Meridian	Township	Range
CRM	75S	R90E

Warm Springs Bay

ST.1002



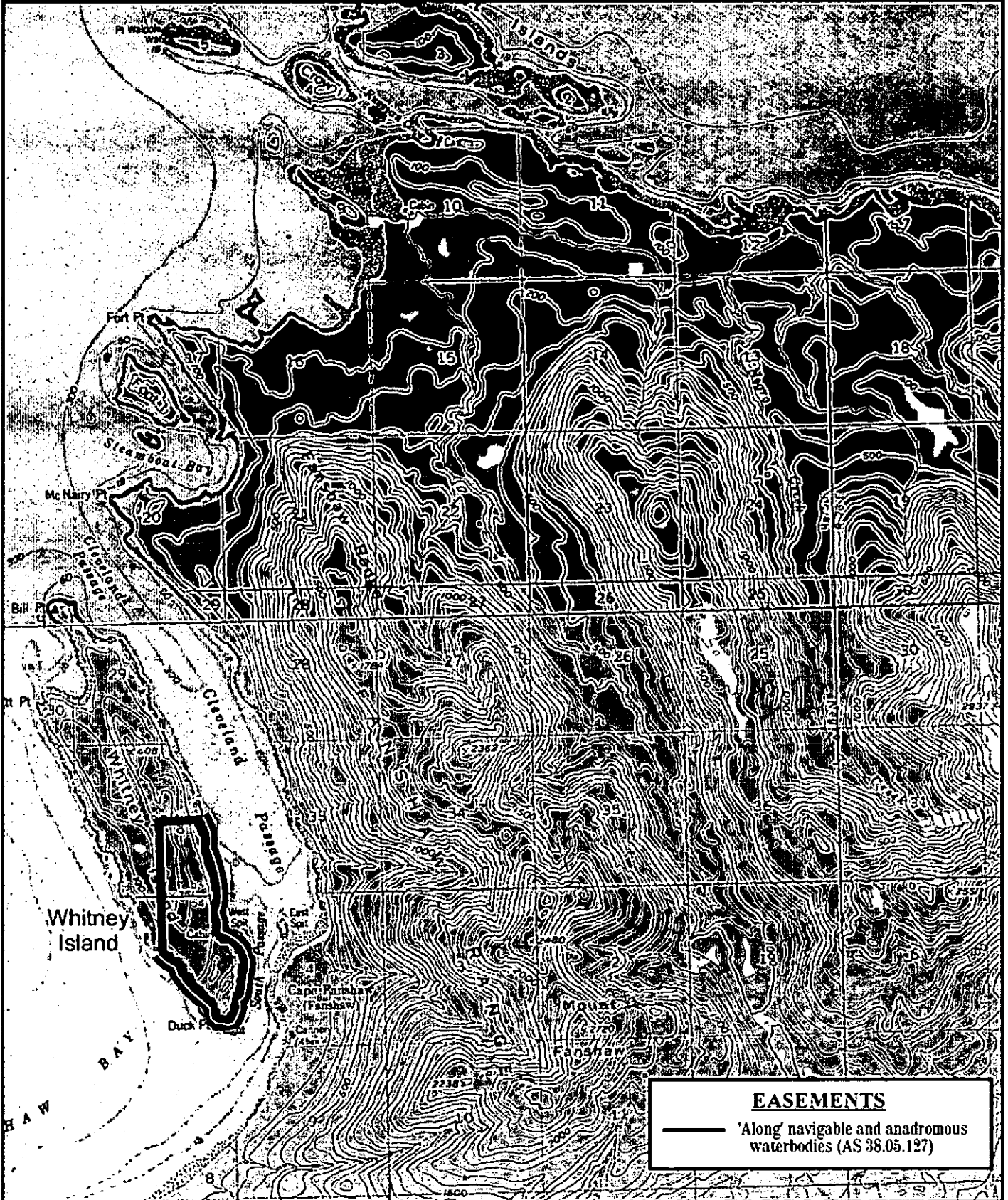
Prepared by: DNR
Source USGS Mt. Sitka A-3
Date: 12/2004



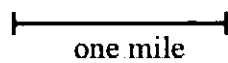
Meridian	Township	Range
CRM	55S	66-67E

Whitney Island

SD.1001



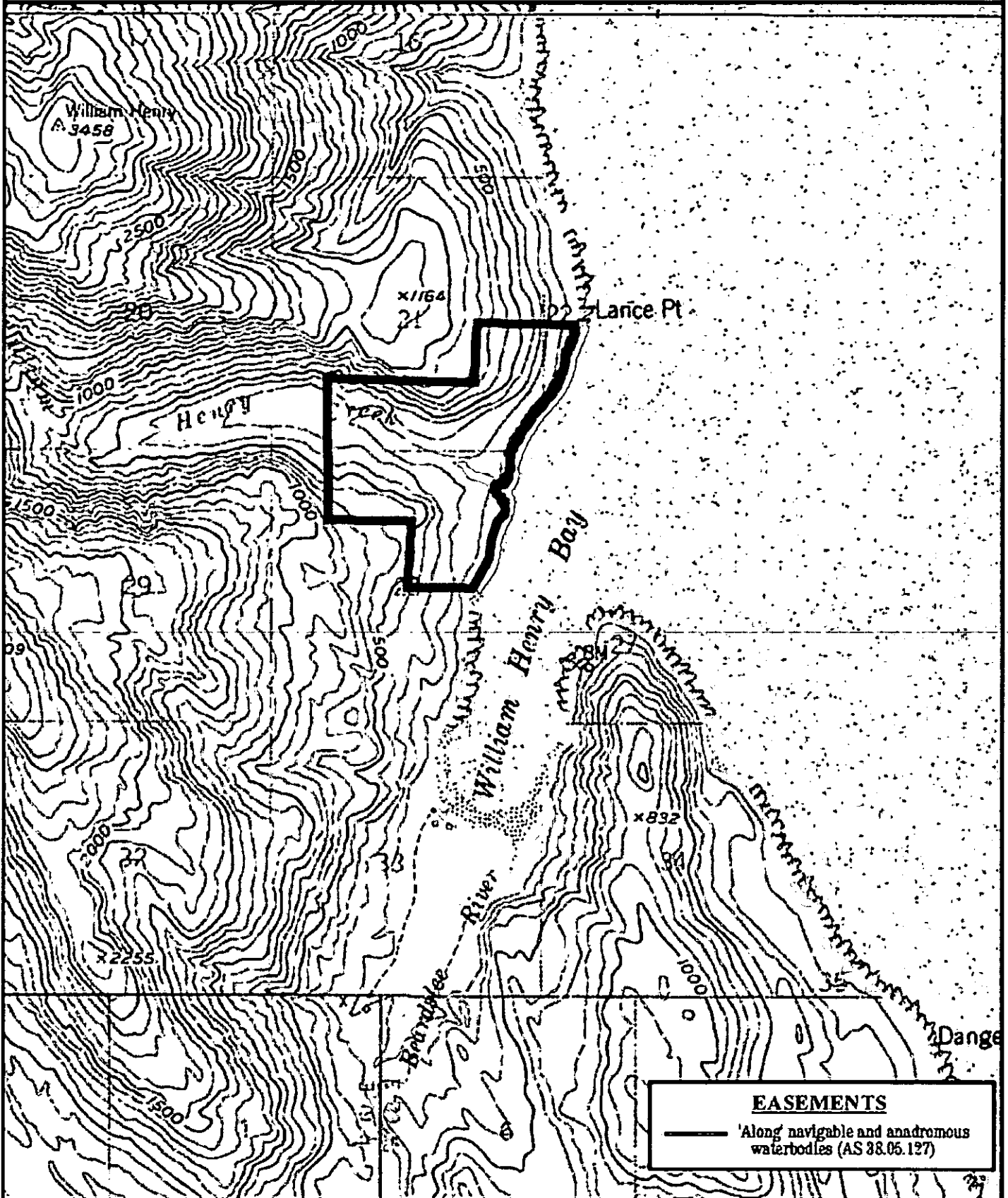
Prepared by: DNR
Source USGS Sumdum A-5, B-5
Date: 12/2004



Meridian	Township	Range
CRM	53-54S	75E

William Henry Bay

JU.1001



EASEMENTS
— Along navigable and anadromous waterbodies (AS 38.05.127)

Prepared by: DNR
Source USGS Juneau C-4
Date: 12/2004

— one mile —

Meridian	Township	Range
CRM	36S	61E

LAND LIST :

SUMMARY

Overview of The Land List

Revised 2010

This section provides a general description of the Land List and a table containing specific information related to the parcels in the Land List.

Geographic Distribution.

Most of the land proposed for transfer to the University of Alaska is in the Northern and Interior area of the state. This is primarily because the Nenana Oil and Gas Basin is in the Interior. Both South-central and Southeast have considerably smaller amounts of state land.

- Northern/Interior. Most state land on the Land List occurs in the Northern region, which comprises 150,953 acres or 75.5% of the total acreage. Most of this land is associated with oil and gas (90,000 acres) and coal (16,000 acres) resource values, or are intended for educational/research functions (35,961 acres). The oil and gas tract is situated west of Nenana and the coal tract, within an area known as 'Jarvis Creek', which is situated south of Delta Junction. Tracts with an intended education function are associated either with forestry research in the proposed Tok Research Forests (4,015 acres) or with watershed research in the Caribou and Poker creeks watersheds north of Fairbanks (24,250 acres). There is a small amount of investment properties in the Northern region, which are primarily intended for residential, commercial, or industrial development.
- Southcentral. South-central tracts total 14,230 acres (7.5% of the total) and consists mostly of investment properties near the Willow-Houston (1,730 acres) and McCarthy (12,500 acres) areas.
- Southeast. Southeast, with 34,655 acres or 17.3% of the total, consists largely of remote tracts and areas around communities, which have mostly settlement, general recreation, and some limited forestry values. These tracts are scattered throughout Southeast Alaska, extending from the Lynn Canal north of Juneau to Moira Sound/Nowiskay Cove southwest of Ketchikan. Most of these tracts are situated within Prince of Wales Island or near the communities of Wrangell, Sitka, and Tenakee Springs. Only a small amount (12 acres) of education properties occur in the Southeast (a research facility in Juneau and the Sitka Campus of the University).

Parcel Description

The table that follows gives a brief description of the each parcel proposed for transfer. It describes Investment and Oil and Gas tracts geographically by the three regions of Northern/Interior, South-central, and Southeast. A description of Educational Properties follow this listing. The table contains the following information: parcel number, parcel name, acreage, and a column titled 'Comments'. The Comments column indicates the general location of each parcel, describes the main features of the parcel, indicates its possible use, and indicates the land use designation(s) for the parcel based on existing DNR

land use plans. The land use designations contained in the DNR land use plans do not apply to the land after it is transferred to the University. Generally, the 'Investment Properties' parcels have been selected based upon their development potential and are designated in DNR land use plans for multiple use, settlement, or public recreation. These plan designations are italicized in the table.

This table is linked to the maps that follow the Land List. Parcel numbers and names are the same in the land list, table, and maps.

Summary of Parcel Resource Values

- Nenana Oil and Gas Tract (90,000 acres)

A 90,000 acre tract of state-owned land with oil and gas potential within the Nenana Basin is to be conveyed. This basin has a high probability for presence of gas source, and a high probability that reservoir quality rocks are also present. This tract excludes previous state subdivisions and DNR remote recreational cabin staking areas. Although the tract includes the remote recreational cabin staking area known as Teklanika II, where staking is still underway, buffers of state land will be retained by DNR before this tract is conveyed to the University. The area is part of the Oil and Gas License owned by Andex Corporation, and the land will be transferred subject to the License.

- Investment Properties *other than* in Southeast (39,222 acres)

Lands proposed for transfer include 39,222 acres of state land within the South-central and Northern/Interior regions that are considered to have investment potential. Certain of these tracts are probably best suited for commercial or industrial development; examples include the tracts along the Dalton Highway. The majority are probably best suited for some form of residential development, either for rural subdivisions near community areas (Willow Creek Road and Frying Pan Lake) or for remote recreational development (Lake Snohomish and Wien Lake).

The Jarvis tract provides a coal production potential. A 16,000 acre area near Jarvis Creek occupies the easternmost sub-basin of the Nenana Basin, a coal trend that holds the third largest coal reserve in Alaska. Identified resources are 75 million short tons with a hypothetical resource of 175 million short tons. The areas of Mental Health Trust Land and active mining claims are excluded from the tract. The 2,560 acres of coal leases would be conveyed, subject to the continuation of the lease for the period of their duration.

- Southeast Alaska (34,643 acres)

34,643 acres of state land in Southeast Alaska are to be conveyed. Because the state owns only a small amount of land scattered throughout Southeast, these tracts are comparatively small in size and are distributed throughout Southeast. Most of these tracts were acquired by the state for community and recreational development and may be developed by the University for community or remote recreational settlement; examples include state land at

Hollis, Ketchikan, or Edna Bay. There are also a few that have commercial potential; examples include Harris Road Junction, Ward Cove, and El Capitan South, although most of these could also be used for residential purposes. A limited number of tracts have commercial timber potential. The latter are not considered essential to the existing DNR Southeast Alaska value-added forestry program.

- Educational Properties (35,973 acres)

This category includes eight properties that are either important to current University educational or research programs or that can be developed for such programs. Their primary purpose is educational, not for revenue-generation. These state land tracts occur in the Northern Region, except for the Sitka Campus and Auke Weir tracts in Juneau. One tract constitutes the bulk of the acreage in this category: the Caribou-Poker creeks watershed, consisting of about 24,250 acres, located north of Fairbanks and used exclusively by the University for hydrologic research.

Public Access

Public access is retained across the state land conveyed to the University. DNR has identified known access routes, including Omnibus Roads, existing state or federal rights-of-way, and RS2477 trails). These routes are depicted on the parcel maps. Public access is also retained along coastlines, navigable rivers and lakes, routes traditionally used by the public for access, and along section-line easements. Except for section line easements, these access routes are depicted on the parcel maps.

On-line information and Contact Information

This report, including the parcel maps, may be viewed at the DNR website:
<http://www.dnr.alaska.gov>

For general information regarding the Land List, contact either Dick Mylius or Marty Parsons (269-8600) in Anchorage. For more detail on specific parcels, contact Bruce Phelps at 269-8592 in Anchorage or email: bruce.phelps@alaska.gov

PARCEL
DESCRIPTIONS

University of Alaska Land Grant List 2010 Parcel Descriptions

Parcel #	Name	Approx. Area in Acres	Description/ <i>Plan Designation</i>
Non-producing Oil and Gas Resources			
OG.NE.1001	Nenana Gas Basin Tract	90,000	This parcel has oil and gas potential. Situated within the Nenana geologic basin, this area has a high probability for the presence of gas source rocks and a high probability that reservoir rocks are also present. Parcel excludes previous state subdivisions and DNR remote staking areas, and a current DNR remote staking area (Teklanika II). Buffer areas are to be created around this staking area, reducing the size of the parcel to about 90,000 acres. Public access, including future road access to state lands to the north and west of the parcel, are retained. <i>Wildlife Habitat and Forestry.</i>
	2010 Revised Oil and Gas Resources, Subtotal	90,000	
Investment Properties			
Northern/ Interior Region			
DH.IS.1001	Dalton Highway MP 48 to 54	1,360	This parcel is located adjacent to the south bank of the Yukon River and the Dalton Highway. It is rather rugged topography, but has road access and views of the Yukon. <i>Public Recreation and Wildlife Habitat.</i>
DH.SR.1001	Dalton Highway MP 345 to 347	880	This parcel is south of the old Sagwon airstrip, includes the Sagavanirktok River, the Dalton Highway, and the Alyeska pipeline. It is located near the intersection of winter trails to Umiat, proposed for a major road. The APSC 8" fuel gas line runs through the property. May be subject to AS 19.40.200(b) (2). <i>Transportation Corridor Land.</i>
MA.HR.1001	Haul Road Nodes-Coldfoot	1,700	This parcel includes portions of the Coldfoot development node on the Dalton Highway. <i>Settlement.</i>
M1.JC.1001	Jarvis Creek	16,000	This coalfield occupies the easternmost sub basin of the Nenana Basin, a coal trend that holds the third largest coal reserve base in Alaska. The coal bearing section of this field is about 2,000 feet thick. Identified resources are 75 million short tons with a hypothetical resource of 175 million short tons. Tract excludes Mental Health Trust Land and active mining claims are excluded.

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Parcel #	Name	Approx. Area in Acres	Description/ <i>Plan Designation</i>
FA.JC.1001	Jennie M. Creek C	5	Situated near Fairbanks, this small parcel has good access and gentle to level slopes. It is situated within a residential subdivision. Zoned General Use. It occupies a small lot south of Chena Hot Springs Road 3 miles east of Two Rivers School. <i>No current classification.</i>
N1.LS.1001	Lake Snohomish	740	Parcel is located 10 miles southwest of the airstrip at Lake Minchumina, with access by trail. Terrain is flat, surrounding Lake Snohomish. <i>Settlement.</i>
NZ.FA.1003	Noyes Slough (See Fairbanks Area Parcels map)	7	This parcel was added at the request of the University in order to resolve an old title problem created when DOT moved College Road to its current location. <i>No classification.</i>
N5.RS.1001	Summit Lake (Richardson Highway)	960	This parcel includes areas on the east and west side of Summit Lake, situated west of the Richardson Highway. This is a very popular winter recreation area, especially for snowmachiners. DNR land disposals are scheduled for other parts of lake. <i>Public Recreation and Wildlife Habitat.</i> Adjacent areas are designated <i>Settlement.</i>
FA.NS.1001	West Twin Lake	1,560	Situated in a remote area west of Nenana, this lake is considered to have recreation use potential and some recreational development already exists. Access via float plane or ATV. DNR land disposals are scheduled for other areas along the lake. <i>Settlement.</i>
N5.WL.1001	Wien Lake	1,780	This is a fly-in lake with access via snowmachine in winter located in the Kantishna area. Some property has been sold in the area. It is a popular Fairbanks recreation area. DNR land disposals are scheduled to occur along other parts of lake. <i>Settlement.</i>
2010 Revised Northern Interior Region Subtotal		24,992	

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Parcel #	Name	Approx. Area in Acres	Description/ <i>Plan Designation</i>
Southcentral Region			
SU.DC.1001	Deception Creek	280	Situated east of Willow, this fairly level parcel is covered with mature birch with some spruce, and has some wetlands in its western part. There is road access to this parcel by way of state-maintained 4 Mile Road off the Willow Creek Road. ATV trails also provide some access. It is part of the land previously reserved for the Willow Capital Site. <i>Settlement.</i>
SU.FP.1001	Frying Pan Lake	450	Situated southeast of Willow, this lake has recreational potential for picnicking, swimming, and camping. It is located about a mile from the Parks Highway. It is part of the land previously reserved for the Willow Capitol Site. <i>Settlement.</i>
MA.MC.1001	McCarthy-Nizina	12,500	This large parcel is situated near the community of McCarthy, situated within the National Park. Considered good for settlement. Excludes area of possible land exchange and critical salmon spawning areas at Long Lake. <i>Wildlife Habitat and Public Recreation.</i>
SU.WC.1001	Willow Creek Road	1,000	Parcel is near Willow Creek Rd. and is part of the land formerly reserved for the Willow Capital Site. Tract is considered good for settlement. Deception Creek runs through this parcel. <i>Settlement.</i>
	2010 Revised Southcentral Region Subtotal	14,230	
	2010 Revised Investment Properties Total	39,222	

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Parcel #	Name		Approx. Area in Acres	Description/ <i>Plan Designation</i>
Southeast Region				
SD.1001	Beecher Pass		1,193	Parcel is located on Kupreanof Island, southwest of Petersburg. It consists of a gently sloping coastal plain, covered in parts by spruce bog. The steeper slopes inland contain dry uplands and are vegetated with hemlock and spruce forest. The parcel also contains part of a previous state subdivision (ASLS 81-9); areas within the subdivision remaining in state ownership and designated as Settlement are included. Another state subdivision (ASLS 81-8) occurs to the east. The parcel is considered appropriate for settlement. Beecher Pass State Park is situated immediately to the south. <i>General Use and Settlement.</i>
PA.1002	Biorka Island		438	This parcel, situated on Biorka Island southwest of Sitka, consists of two separate parts. The westerly parcel is situated northeast of an FAA radar facility, with access provided by a road which, in turn, accesses a landing/beach area for the island situated to the east. The easterly part is situated east of the main part of Biorka Island and is joined to it by a narrow beach area. Both parcels are flat and are covered by forested wetlands. Considered appropriate for settlement (remote cabin sites). <i>General Use.</i>
KT.1002	Cleveland Peninsula		4,055	This parcel consists of three distinct parts, all of which occupy the northern part of the Cleveland Peninsula, located northwest of Ketchikan. The two large parcels occupy uplands at Spacious Bay and Sunny Bay, both of which are important recreational destinations. The third parcel occurs at Square Island, within Spacious Bay. The two larger parcels support hemlock and spruce along the coast and forested wetlands further inland. Both parcels contain commercial forest resources, most of which occur in the more inland, higher elevations. Square Island is a gently sloping and flat island covered by forest and muskeg, except for coastal rainforest along and near the coast. There is limited use of Square Island for recreation purposes. Considered appropriate for remote recreation or remote settlement. <i>General Use.</i>

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Parcel #	Name	Approx. Area in Acres	Description/ <i>Plan Designation</i>
PW.CC.1001	Coffman Cove	1,984	Parcel is situated in and near the community of Coffman Cove, on POW Island. It consists of three separate units of land, each of which is considered good for settlement or recreational development. University already owns land in area and this will infill around their existing holdings. Coffman Cove has protected waters and road access. <i>Settlement.</i>
CS.DI.1001	Duke Island <i>DELETED FROM 2005 LAND LIST BY LEGISLATURE</i>	1,440	Parcel adjoins the southern coast and is generally flat, and has several good anchorages. It is considered best for commercial development related to marine services and associated residential uses. It is covered with mining claims. In selection status. <i>General Use.</i>
CS.EW.1001	Earl West Cove	3,564	Situated southeast of Wrangell, this parcel is considered good for land disposals and/or timber harvest. There is a hemlock and mixed hemlock/spruce forest that contains some commercial timber. An existing road system accesses previously harvested areas. An abandoned LTF provides water access. A crude ramp system also exists. <i>General Use.</i>
PW.ED.1001	Edna Bay	250	Parcel is situated in the community of Edna Bay, on POW Island. It includes fairly flat areas that are considered suitable for settlement. Parcel is near other University owned land. Roads access the parcel. Public docks are available and have improved the anchorage. <i>Settlement.</i>
PW.EC.1001	El Capitan North	1,847	Parcel occupies areas considered suitable for settlement and community recreation because of road access, terrain, and views of the protected waterway and Twin Lake. Parcel adjoins El Capitan Passage and Twin Island Lake. Parcel excludes Twin Island Lake and its islands. <i>Settlement.</i>
PW.ES.1005	El Capitan South	865	Parcel occupies most of El Capitan Island, which is strategically located in the protected waters of Sea Otter Sound. A small island, situated to the west, is also included in this parcel. Tract includes land suitable for commercial recreation and residential development. A particularly suitable site for commercial recreation development occurs in a sheltered bay on the south end of the island. Good anchorages exist. <i>Settlement/Commercial.</i>

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Parcel #	Name		Approx. Area in Acres	Description/ <i>Plan Designation</i>
NS.EX.1002	Excursion Inlet		477	This parcel, which consists of four separate parts, is situated north and east of the current subdivisions in Excursion Inlet. Access is provided by water, local roads, and an old Forest Service road. Topography varies from generally flat to moderately sloped. Vegetation consists of hemlock and spruce on the better drained soils and by wetlands in the wetter areas; portions of the parcel may be de-vegetated. Considered suitable for remote settlement. This parcel is the last holding of state land in Excursion Inlet. <i>Settlement and General Use.</i>
SD.1001	Favor Peak		1,290	This parcel is located on the southeastern tip of Mitkof Island, from Banana Point to Dry Strait. It is served by a well established road system (Forest Service Road 7). Several areas of commercial forest were harvested in the early 1970s and are dispersed throughout the unit. Areas of the parcel that adjoin the coast may be suitable for settlement. Areas north of the road are fairly steep, and contain areas of hemlock and spruce. <i>General Use.</i>
HA.CH.1001	Haines - Chilkoot <i>DELETED FROM 2005 LAND LIST BY LEGISLATURE</i>		60	This parcel actually consists of four small individual tracts, all of which are situated south of the community of Haines. All adjoin existing residential areas and are accessed by road. <i>Settlement.</i>
CR.1001	Harris Road Junction		320	Parcel consists of fairly flat, vegetated terrain consisting of hemlock and spruce. It is situated along the main island road west of the community of Hollis, at its intersection with the Harris River. In selection status. Potential exists for residential development. <i>Settlement/Commercial.</i>
PW.HO.1001	Hollis		622	Parcel is situated in the community of Hollis, on POW Island. Parcel consists of three separate parts, two of which have direct road access (Klawock-Hollis highway) and adjoin areas of existing development. Land is suitable for residential development and, in some locations, commercial use. Previous state subdivisions occur throughout the Hollis. <i>Settlement.</i>

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Parcel #	Name	Approx. Area in Acres	Description/ <i>Plan Designation</i>
PW.HK.1001	Hook Arm	1,280	Parcel is situated on the west side of Dall Island, southwest of POW Island. This parcel has a good anchorage, high fish and game values, offshore commercial fishing activities, and resource development activities planned nearby. Tract may be suited for remote residential development or commercial use. In selection status. <i>General Use</i> .
MF.1002	Idaho Inlet <i>DELETED FROM 2005 LAND LIST BY LEGISLATURE</i>	539	This parcel is situated on the east side of the Idaho Inlet, southeast of Elfin Cove. It has gentle to moderately sloping terrain near the coast and steeper terrain further inland. Parcel is heavily vegetated by spruce and western Hemlock, with scattered wetlands. A secure anchorage provides protection from northerly winds. This tract is considered a strategic site, allowing access to nearby active fishing and transportation waters. Considered appropriate for commercial recreation, general commercial, or remote residential. <i>General Use</i> .
JU.NL.1001	Ivanhoe	120	This parcel is comprised of patented mining claims in a known mineralized area north of Juneau. <i>Mineral and Habitat</i>
CS.KI.1001	Kelp Island <i>DELETED FROM 2005 LAND LIST BY LEGISLATURE</i>	535	Kelp Island adjoins Duke Island and of the two locations, the best anchorage is situated here. It occupies a strategic location near a major navigation route. It would have the same type of commercial marine services and ancillary residential uses as Duke Island. In selection status. <i>General Use</i> .
CS.LE.1001	Leask Cove	460	Situated in upper George Inlet, north of Ketchikan, this parcel occupies relatively flat coastal areas, much of which has been previously harvested, and which has some potential for remote settlement. Most of the commercial forested area outside of the existing subdivision is in rotation. The cove provides a good anchorage. There are several previous state subdivisions nearby. <i>Settlement and General Use</i> .

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Parcel #	Name		Approx. Area in Acres	Description/ <i>Plan Designation</i>
JU.LM.1001	Lena Creek		610	This parcel is located near Lena Creek, north of downtown Juneau. This parcel excludes an approved municipal conveyance of approximately 100 acres to the CBJ. The exact location of this CBJ tract must still be surveyed, so the area conveyed to the UA is somewhat uncertain at this time. The parcel map indicates the general location. <i>Transportation, Settlement, Public Recreation--Dispersed.</i>
ST.LS.1001	Lisianski Peninsula		1,443	This parcel occupies the remaining areas of state land on the Lisianski Peninsula, situated directly north of Sitka. Portions of the parcel are relatively flat, although the central and southern parts are quite steep. Within areas along the coast and in some inland areas, hemlock and spruce forests predominate; other areas are occupied by scattered wetlands. Water access is available from Cedar Cove; a forest service road accesses the central portions of the parcel. Adjacent land to the north is part of the Tongass National Forest; MH Trust lands are situated to the east. Considered appropriate for remote residential. May have some limited commercial timber potential; some areas of previous harvest exist. <i>General Use.</i>
JU.1002	Lynn Canal		1,358	This parcel occupies a fairly flat area on the west side of Lynn Canal, north of Juneau, that is heavily vegetated with a mixture of wetlands in poorly drained areas and Western Hemlock and Sitka Spruce in drier, better drained sites. It is bounded on the west by the Tongass National Forest. The parcel is easily visible from the marine highway route in Lynn Canal, and is considered suitable for commercial recreation or settlement. <i>Public Facilities-Transfer, Public Recreation and Tourism-Undeveloped.</i>

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Parcel #	Name	Approx. Area in Acres	Description/ <i>Plan Designation</i>
ST.1001	Middle Island	665	This parcel includes the remaining state lands on Middle Island that are not part of the previous state subdivision (ASLS 87-129) or conveyed to the City/Borough of Sitka or the Mental Health Trust Authority. Middle Island is situated west of Sitka. The parcel occupies the central part of Middle Island, although portions front the water on the northwest and south. Except for areas near the coast on the south and northwest, which are considered suitable for settlement, the remainder of the parcel contains steep terrain. Forested wetlands cover most of the less severe terrain, while western Hemlock and Sitka Spruce cover the remainder. <i>Settlement, General Use.</i>
PA.1002	Mite Cove	320	This parcel occupies nearly 200 acres at the northeastern tip of Yakobi Island, at the end of Lisianski Inlet where the Inlet enters Icy Strait. Pelican is the nearest community. Mite Cove is a regionally significant anchorage that is used by both recreational and commercial boaters. It is vegetated with Western Hemlock and Sitka Spruce, and is characterized by steeply sloping terrain throughout most of its eastern and southern parts. Areas along the coast in the northern part of the parcel and near/adjacent to Mite Cove are relatively flat. Considered appropriate for remote residential or commercial recreation marine services. <i>Public Recreation and Tourism-Undeveloped.</i>
PW.MS.1001	Moir Sound/Nowiskay Cove	160	This small parcel occupies patented federal mining claims. It may be suitable for a variety of uses, including timber harvest and settlement. It is situated on Sound on POW Island. <i>General Use.</i>
CS.MB.1001	Moser Bay	906	Parcel is steep in eastern section but the western portion, adjacent to the coast, can accommodate settlement. Other residential use occurs nearby. Access is by water and it is relatively close to Ketchikan. Contains areas of commercial timber that may be suitable for selective logging. <i>Settlement.</i>
PW.NA.1001	Naukati Sound	937	Situated in the community of Naukati on POW Island, parcel occupies areas of generally flat land considered good for settlement. Development would be infill around current residential uses or adjacent to current road system. Road and water access. State land disposal is scheduled in Naukati. <i>Settlement and General Use.</i>

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Parcel #	Name		Approx. Area in Acres	Description/ <i>Plan Designation</i>
KT.1004	Neets Creek <i>DELETED FROM 2005 LAND LIST BY LEGISLATURE</i>		1,500	Located at the head of Neets Bay northwest of Ketchikan, this parcel generally consists of a fairly flat area adjacent to the coast, two lakes, and the floodplain of Neets Creek. The valley walls are covered by a mixture of hemlock and spruce forests. The parcel may be accessed by either water or air, although previous logging roads are scattered throughout the parcel. A portion of the tract is used by a regional aquaculture association. Contains both previously harvest and available commercial timber (1,800 acres total). Considered appropriate for remote residential use; may have some commercial timber value. <i>General Use.</i>
CS.OV.1001	Olive Cove		450	Parcel occupies flat coastal plain vegetated by hemlock and spruce forest good for settlement. Adjoins an existing subdivision. Situated southwest of Wrangell on Zimovia Island. Direct water access to Zimovia Strait. <i>General Use.</i>
ST.1002	Pelican <i>DELETED FROM 2005 LAND LIST BY LEGISLATURE</i>		851	This parcel occupies almost all of the remaining state land in and around the community of Pelican, on Lisianski Inlet. Portions of this parcel are relatively flat to moderately sloping near the coast or coastal valleys, but are steeply sloped in most of the remaining areas. There are two distinct parts of the parcel; the first part occupies areas north of this community, some of which are accessed by road. The other part is situated south of the community proper and access is only by water. Both parts adjoin Lisianski Inlet and are heavily vegetated with hemlock and spruce. A previous state subdivision, ASLS 80-183, is situated immediately to the south. <i>Public Recreation - Dispersed, Settlement.</i>

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Parcel #	Name	Approx. Area in Acres	Description/ <i>Plan Designation</i>
PA.1001	Port Alexander <i>DELETED FROM 2005 LAND LIST BY LEGISLATURE</i>	267	This parcel contains some of the last remaining state land in and adjacent to the community of Port Alexander, situated at the southern tip of Baranof Island. Two parts adjoin the community to the west and east, while a third occupies an area southwest of the community. It consists of flat to moderately sloping terrain and is heavily vegetated by spruce and hemlock, with scattered wetland areas. Access is primarily limited to trails to the western and eastern parts, while the southern has good water access. Several small off shore islands are included in this parcel. <i>General Use. Some areas of Public Recreation -- Dispersed.</i>
PA.1001	Port Conclusion (See Port Alexander map)	10	This parcel occupies an area near the end of Port Conclusion, which is situated to the west of the community of Port Alexander. Except for an area near the coast, the parcel is steep and heavily vegetated with western Hemlock, Sitka Spruce, and by areas of forested palustrine wetlands. Considered suitable for remote settlement. <i>General Use.</i>
PW.PD.1001	Port Delores	1,100	Port Delores is a protected anchorage with potential for commercial recreation and remote settlement. Some commercial timber exists in the interior of the parcel which may be accessed via Forest Service roads. <i>Settlement.</i>
SD.1001	Read Island	706	Situated south of Cape Fanshaw, parcel consists of Read Island and two smaller islands. These occupy the entrance to Farragut Bay, an important commercial tour destination. Read Island is fairly flat, and except for a few small knobs that support dry uplands, the entire island is covered by wetlands. <i>Public Recreation and Tourism-Undeveloped.</i>
CS.RB.1001	Rowan Bay	665	Parcel occupies flat and gently rolling coastal plain adjoining Rowan Bay, on the west side of Kuiu Island. Considered good for timber harvest and remote settlement. There have been previous timber harvests. Direct water and road access. <i>General Use.</i>
SD.1001	Sumdum	5	This small parcel occupies the head of Sanford Cove, and lies adjacent to a popular cruise ship, charter and recreational boat travel corridor to Endicott Arm. Considered a regionally significant recreational site. <i>Public Recreation -- Dispersed.</i>

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Parcel #	Name		Approx. Area in Acres	Description/ <i>Plan Designation</i>
ST.1003	Tenakee Springs		346	This parcel consists of three distinct parts and constitutes the last remaining developable state land in Tenakee Springs. The first is situated at the end of the main area of community development near the ADOT/PF boat harbor. It abuts the harbor and is used for marine and other types of storage, and is fairly level and heavily vegetated. The second consists of a heavily vegetated, generally flat area that extends further east to Indian River and an old LTF. The third consists of an interior part within sections 15 and 22 situated eastward and upslope of the community, and a part within section 23 that stretches along the coast. This area, which is generally level and heavily vegetated, could be used for commercial and industrial development. <i>Public Facilities-Retain, Settlement-Commercial.</i>
SD.1001	Thoms Place		2,360	Situated south of the community of Wrangell, this parcel consists of fairly level to moderately sloping land situated to the west of the Thoms Place community. It is vegetated by hemlock and spruce forest. The unit adjoins Zimovia Strait, which is used as a route of the Alaska Marine Highway. A previous state subdivision and the Thoms Place State Marine Park exist to the south. Considered suitable for settlement. <i>Settlement, General Use.</i>
PW.TH.1001	Thorne Bay		2,557	Parcel consists of three separate tracts, two of which have direct road access and are near the community of Thorne Bay. These are considered good for commercial/industrial development. The other adjoins an existing subdivision and has direct road access. <i>Settlement/Commercial.</i>
CS.TL.1001	Three Lake Road		640	Situated south of Petersburg, this parcel is near popular fishing streams and adjoins Three Lake Road. Portions of this parcel are previously harvested and are heavily vegetated. It has commercial as well as residential potential. <i>General Use.</i>
CS.WA.1001	Ward Cove		3	Small parcel adjoining Tongass Highway north of Ketchikan. This OSL parcel is believed to be part of an old cannery. <i>Settlement/Commercial.</i>

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Parcel #	Name	Approx. Area in Acres	Description/ <i>Plan Designation</i>
ST.1002	Warm Springs Bay <i>DELETED FROM 2005 LAND LIST BY LEGISLATURE</i>	267	This parcel consists of the remaining state land in the southern part of the Warm Springs community, a popular recreation area for the Sitka community. Area is generally flat and is covered by a mixture of forested wetlands and spruce/hemlock coastal rainforest in the drier parts. Considered suitable for commercial recreation or remote settlement. Previous state subdivision exists on the north side of Warm Springs Bay. <i>Public Recreation -- Dispersed.</i>
SD.1001	Whitney Island	316	This unit occupies the generally level southern end of Whitney Island, which is situated immediately west of Cape Fanshaw, an important commercial and recreational anchorage. Most of the island is covered by wetlands except for areas adjacent to the coast covered by spruce and hemlock forest where this parcel is situated. <i>Public Recreation and Tourism-Undeveloped.</i>
JU.1001	William Henry Bay	321	Parcel is situated on the west side of Lynn Canal, northwest of Juneau. It occupies the drainage of William Henry Creek in the northwestern part of William Henry Bay. Hemlock and spruce are the dominant vegetation. Areas adjoining the coast at the mouth of the creek are somewhat flat, but are steeper inland. Considered to have commercial recreation or remote settlement potential. <i>General Use.</i>
	2010 Revised Southeast Region Subtotal	34,643	

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Parcel #	Name	Approx. Area in Acres	Description/ <i>Plan Designation</i>
Educational Properties			
JU.AU.1002	Auke Weir	6	Situated close to the UAJ campus along Auke Creek in Juneau, an anadromous fish stream, the parcel includes a fish weir and is suitable for academic and research projects of the UAJ. Includes existing UAJ facilities. <i>Public Recreation/Habitat.</i>
LG.PC.01	Caribou-Poker Creeks Drainage	24,250	Situated north of Fairbanks, parcel is currently used and administered by University for hydrologic and water quality research. Occupies portion of the current research watershed used by UA. <i>Watershed.</i>
MA.XS.1001	Delta Ag & Forestry Exp. Station	363	Parcel is currently patented to the UA (No. 15524) with restrictions on use to forestry an agricultural research, and contains a reverter. University wants to acquire unrestricted title to allow other uses. <i>Agriculture and Settlement.</i>
N2.FA.1004	Fairbanks Parking Garage (includes Court House conveyance) <i>COURTHOUSE CONVEYED UNDER OTHER AUTHORITY</i>	1	Parcel is already conveyed. UAF agreed to "count" the acreage should there be a State Land Grant. Parcel was acquired by DOT/PF with federal funds. Provides addition to the University campus. <i>Not classified.</i>
NZ.FA.1004	Key Bank Site (See Fairbanks Area Parcels map) <i>CONVEYED UNDER OTHER AUTHORITY</i>	1	This parcel adds land to UAF from an area of excess highway right-of-way. It was acquired by DOT/PF with federal funds; the University may be required to reimburse ADOT/PF, to compensate for the loss of federal highway funds. <i>Not classified.</i>
MA.KR.1001	Kodiak Rocket Range <i>DELETED FROM 2005 LAND LIST BY LEGISLATURE</i>	2,880	This parcel occupies an area on southern Kodiak Island that includes the Kodiak Launch Complex. Portions of the parcel are used for grazing. Conveyance would be subject to the current Inter-agency Land Management Agreement for the Rocket Launch Facility and the grazing lease. Current access and public use areas are retained, including access to Fossil Beach. <i>Grazing, General Use.</i>
MA.PF.1002	Poker Flat (Special Use Area)	6,680	This is a large area under permit that the University has reserved for a buffer for its Poker Flat research activities. <i>Resource Management, Forestry, Mining, Public Recreation, Wildlife Habitat.</i>
MA.PF.1001	Poker Flat Lease	533	This area is under lease (ADL 414207) from the state and contains university-owned facilities. <i>Forestry, Mining, Public Recreation.</i>

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Parcel #	Name	Approx. Area in Acres	Description/ <i>Plan Designation</i>
MA.SF.1001	Silver Fox Mine	120	This proposal is adjacent to patented federal claims which the University owns in fee. Now used for UAF mining program. <i>Settlement.</i>
ST.1001	Sitka Campus	6	Parcel contains the Sitka campus. Management authority would be transferred from the Department of Education to the University. <i>Public Facilities.</i>
TV.RF.1001	Tok Research Forest	4,015	Parcel is to be used for forestry research by UAF. <i>Forestry.</i>
TV.TV.1001	University Research Forest <i>CONVEYED UNDER HB 130</i>	51,820	This parcel contains portions of the Tanana Valley State Forest as well as other state land classified Forestry and Settlement. Parcel is to be retained and managed by DNR for the next fifty years after which it will be conveyed to the University. Parcel would also be used for forestry research by UAF. DNR would continue to manage the other uses that occur within this area, including timber harvest and public recreation. Public access is to be maintained. <i>Forestry and Settlement.</i>
	2010 Revised Educational Properties Subtotal	35,973	
2010 REVISED TOTAL		199,838	

HISTORICAL
INFORMATION

STATE OF ALASKA

DEPARTMENT OF NATURAL RESOURCES OFFICE OF THE COMMISSIONER

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January 14, 2005

Dear Interested Alaskan:

The Governor is announcing new legislation that would transfer 260,000 acres of state land managed by the Department of Natural Resources to the University of Alaska. I am pleased to provide this list of lands for this transfer. The transfer will fulfill the intent of Senate Bill 7 passed by the 2000 Alaska Legislature as Chapter 136 SLA 2000. It will do so in a manner that is quicker, less expensive, and provides more valuable lands to the university than the process envisioned by SB 7.

Background — Senate Bill 7. In 2000, the Alaska Legislature passed SB 7, which provided a 10-year process during which the University of Alaska would select up to 260,000 acres of state-owned land to be conveyed to the university for the primary purpose of generating revenue for the university. Specifically, the bill provided that:

- “most land grant colleges in the western United States have obtained a larger land grant from the federal government than the University of Alaska has received;
- an academically strong and financially secure state university system is a cornerstone to the long-term development of a stable population and to a healthy, diverse economy in the state;
- it is in the best interests of the state and the University of Alaska that the university take ownership of a significant substantial portfolio of income producing land in order to provide income for the support of public higher education in the state;”

SB 7 had a 10-year fiscal note and forecast the need for approximately \$1.7 million each year to complete the selection, decision, and transfer process.

Unfortunately, implementing the bill proved difficult, expensive, time-consuming, and subject to litigation. To date, no lands have been conveyed to the University of Alaska to implement the law. In addition, uncertainty over what state land the university may or may not select creates a disincentive for investment and development, and the 10-year conveyance process had the potential to discourage the development and use of state land.

Land List and Accompanying Legislation. Over the course of the past several years, the University of Alaska and the Department of Natural Resources (DNR) have worked to reach agreement on lands proposed for transfer to the university to fulfill the intent of SB 7. These lands include some that were not selectable under SB 7. However, the proposal includes a portfolio of lands that should produce income for the university both in the near-term and long-term, and will provide more income than was available to the university under the provisions of SB 7. The new

“Develop, Conserve, and Enhance Natural Resources for Present and Future Alaskans”

legislation requested by the Governor eliminates the lengthy selection process required under SB 7 and directs DNR to convey these specific lands to fulfill the 260,000-acre intent of SB 7.

This new legislation provides a single decision for determining what lands will be transferred to the University of Alaska, rather than a protracted 10-year decision process. This is a quicker and significantly less expensive process. It also eliminates the potential disincentive to development because once the legislation passes, the eventual land manager is immediately clear.

Summary of the Lands to be Transferred to the University of Alaska. The lands proposed to be conveyed to the university are summarized below:

Type of Property	No. of Parcels	Approximate Acreage
Investment Properties, Southeast Alaska	44	40,102
Investment Property, Other than Southeast	14	39,222
Nenana Basin Oil and Gas	1	90,000
Educational Properties	12	90,676
Total:	71	260,000

In developing a list of investment properties to be transferred, DNR and the University of Alaska focused primarily on lands that had been designated settlement, general use, or general public recreation in DNR Area Plans. The list does not include any lands designated for timber harvest in Southeast Alaska because conveying these to the university would decrease DNR's allowable cut there. Nor does it include lands tentatively scheduled for sale by DNR within the next five years, as conveying these would leave DNR unable to meet near-term land sale goals. The list does not include lands on which municipal selection applications have been filed. The list does not include any producing oil and gas or mineral properties, nor legislatively designated State Game Refuges, Critical Habitat Areas, Parks, or Public Use Areas.

The 44 parcels in southeast are expected to have the greatest near-term income potential. Because of the limited state land in southeast, these tracts are comparatively small and are distributed throughout southeast Alaska.

The remaining investment properties, distributed throughout the state, include some lands suited for commercial or industrial development, but the majority is suited for residential or recreational development.

The Nenana Basin Oil and Gas property is a single 90,000-acre tract within the Nenana Basin. It is located west of the Nenana River generally across the river from the City of Nenana. DNR and the University believe the tract has significant potential for gas development, and the area is part of the Oil and Gas License owned by Anxex Corporation. The tract would be transferred to the University of Alaska subject to the Anxex license.

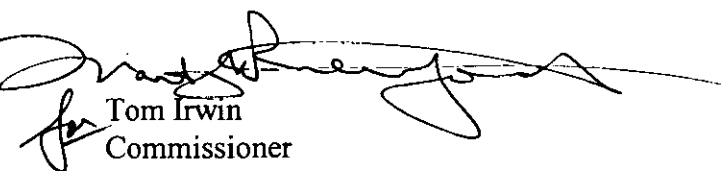
The 12 educational properties are intended to strengthen the University of Alaska's education and research programs. Most are located in the Fairbanks area. The largest is a 51,820-acre tract southwest of Fairbanks within the Tanana Valley State Forest. This area, which includes the Bonanza Creek Experimental Forest, would become the University Research Forest. It will be one of the largest university-related forests in the country and will be an important asset to the university for forestry and related research. For at least the next 50 years, DNR would continue to manage the

public uses in this area, such as recreation, and would continue to use the area for commercial timber sales, consistent with the needs of the University Research Forest.

Land Transfer Process. Under the proposed legislation, DNR will convey the lands to the University of Alaska within three years of the bill's passage. During those three years, DNR will complete the required title search, and will reserve appropriate public access easements, navigable waters, etc. Actual authority for management will change on the date the deeds are recorded.

Conveying these lands will accomplish the goals of SB 7 in a manner that is faster and less expensive than the 10-year process previously envisioned. I am pleased to recommend this portfolio of lands for transfer to the University of Alaska. I believe that these lands will provide the university with significant value and future revenue to help fund public education. The transfer helps fulfill the promise of a land grant University.

Sincerely,



Tom Irwin
Commissioner

University of Alaska Land Grant List 2005

Parcel #	Name	Approx. Area in Acres
Non-producing Oil and Gas Resources		
	Nenana Gas Basin Tracts - Mineral *	90,000
	Nenana Gas Basin Tracts - Land ** *	90,000
	Oil and Gas Resources, Subtotal	90,000
Investment Properties		
Northern/ Interior Region		
DH.IS.1001	Dalton Highway MP 48 to 54	1,360
DH.SR.1001	Dalton Highway MP 345 to 347	880
MA.HR.1001	Haul Road Nodes-Coldfoot	1,700
M1.JC.1001	Jarvis Creek (Mineral)	16,000
FA.JC.1001	Jennie M. Creek C	5
N1.LS.1001	Lake Snohomish	740
NZ.FA.1003	Noyes Slough (See Fairbanks Area Parcels map)	7
N5.RS.1001	Summit Lake (Parks Highway)	960
N1.WT.1001	West Twin Lake	1,560
N5.WL.1001	Wien Lake	1,780
	Northern Interior Region Subtotal	24,992
Southcentral Region		
SU.DC.1001	Deception Creek	280
SU.FP.1001	Frying Pan Lake	450
MA.MC.1001	McCarthy-Nizina	12,500
SU.WC.1001	Willow Creek Road	1,000
	Southcentral Region Subtotal	14,230
	Investment Properties Total	39,222

* The mapped extent of the parcel exceeds this amount, but will be reconfigured when the Remote Staking for Teklanika II has been completed to equal approximately 90,000 acres.

** The University will provide, at no charge to the state, reasonable access to the state land and resources west and north of the Nenana parcel.

University of Alaska Land Grant List 2005

Parcel #	Name	Approx. Area in Acres
Southeast Alaska		
SD.1001	Beecher Pass	1,193
PA.1002	Biorka Island	438
KT.1002	Cleveland Peninsula	4,055
PW.CC.1001	Coffman Cove	1,984
CS.DI.1001	Duke Island	1,440
CS.EW.1001	Earl West Cove	3,564
PW.ED.1001	Edna Bay	250
PW.EC.1001	El Capitan North	1,847
PW.ES.1005	El Capitan South	865
NS.EX.1002	Excursion Inlet	477
SD.1001	Favor Peak	1,290
HA.CH.1001	Haines - Chilkoot	60
CR.1001	Harris Road Junction	320
PW.HO.1001	Hollis	622
PW.HK.1001	Hook Arm	1,280
MF.1002	Idaho Inlet	539
JU.NL.1001	Ivanhoe	120
CS.KI.1001	Kelp Island	535
CS.LE.1001	Leask Cove	460
JU.LM.1001	Lena Creek	610
NS.NS.1001	Lisianski Peninsula	1,443
JU.1002	Lynn Canal	1,358
NS.MI.1001	Middle Island	665
PA.1002	Mite Cove	320
PW.MS.1001	Moir Sound/Nowiskay Cove	160
CS.MB.1001	Moser Bay	906
PW.NA.1001	Naukati Sound	937
KT.1004	Neets Creek	1,500
CS.OV.1001	Olive Cove	450
ST.1002	Pelican	851
PA.1001	Port Alexander	267
PA.1001	Port Conclusion (See Port Alexander map)	10
PW.PD.1001	Port Delores	1,100
SD.1001	Read Island	706
CS.RB.1001	Rowan Bay	665
SD.1001	Sumdum	5
ST.1003	Tenakee Springs	346
SD.1001	Thoms Place	2,360
PW.TH.1001	Thorne Bay	2,557
CS.TL.1001	Three Lake Road	640
CS.WA.1001	Ward Cove	3

University of Alaska Land Grant List 2005

Parcel #	Name	Approx. Area in Acres
ST.1002	Warm Springs Bay	267
SD.1001	Whitney Island	316
JU.1001	William Henry Bay	321
	Southeast Region Subtotal	40,102
Educational Properties		
JU.AU.1002	Auke Weir	6
LG.PC.01	Caribou-Poker Creeks Drainage	24,250
MA.XS.1001	Delta Ag & Forestry Exp. Station	363
N2.FA.1004	Fairbanks Parking Garage (includes Court House conveyance)	2
NZ.FA.1004	Key Bank Site (See Fairbanks Area Parcels map)	1
MA.KR.1001	Kodiak Rocket Range	2,880
MA.PF.1002	Poker Flat (Special Use Area)	6,680
MA.PF.1001	Poker Flat Lease	533
MA.SF.1001	Silver Fox Mine	120
ST.1001	Sitka Campus	6
TV.RF.1001	Tok Research Forest	4,015
TV.TV.1001	University Research Forest	51,820
	Educational Properties Subtotal	90,676
TOTAL		260,000